

Creighton University

Annual Security and Fire Safety Report



OMAHA AND PHOENIX CAMPUSES FALL 2024

Includes Statistics for Calendar Years 2021, 2022 and 2023



Message from the President of Creighton



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

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

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

REV. DANIEL S. HENDRICKSON, SJ, PhD
PRESIDENT, CREIGHTON UNIVERSITY



Campus Safety and Security

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

The Department of Public Safety (DPS) is charged with preparing and disseminating the University's Annual Security and Fire Safety Report (ASR) by October 1 each year. Preparation of the ASR requires multiple ongoing and annual efforts involving DPS, other University departments and outside law enforcement agencies. This effort includes gathering crime statistics concerning reports of crimes prepared by those identified in the law as campus security authorities and local law enforcement agencies and reconciling those statistics with DPS statistics to avoid duplicate reporting. Preparation of the ASR also requires a review of University policies and procedures concerning campus safety and disclosure of those policies and procedures in this report.

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



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

The ASR is divided into two sections. The first section covers Clery requirements for Creighton University's primary campus in Omaha, Nebraska. All University policy statements that are universal with all campuses are provided in this section and highlighted in blue. The second section covers the Phoenix, Arizona Health Sciences campus. All laws and policies specific to the Phoenix campus are provided in this section.

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Creighton University



Omaha Campus

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

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

Select health sciences hybrid programs are offered in collaboration with the University of Alaska Anchorage and Regis University in Denver on their respective campuses. Select health sciences programs are also offered on Creighton's separate campuses located in Phoenix and Grand Island.

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

Phoenix Campus

Creighton University operates a separate health sciences campus in Phoenix, Arizona. A separate campus is one that is owned or controlled by an institution, is not reasonably geographically contiguous with the main campus, has an organized program of study leading to a degree, and at least one person at the location acts in an administrative capacity. In 2018, Creighton's Phoenix campus included leased space in the Central Park Mall and the Dignity Health St. Joseph's Hospital and Medical Center. In June 2021, a newly constructed health sciences campus opened to students in the health sciences professions.

The Clery Act requires that any institution maintaining more than one campus must comply with the Clery Act requirements by completing a separate ASR for each campus. This separate publication can be included with the primary campus's ASR and must clearly differentiate each campus's policies and statistics. All University policy statements in this ASR apply to all campuses unless otherwise noted.

The Phoenix campus has no student-housing facilities or non-campus properties and is not required to comply with certain Clery Act regulations for campuses with student housing. Employees and students at the Phoenix campus are subject to all the University's policies and procedures covered in this report as well as all applicable Arizona state laws. ***Any differences in policies or laws specifically directed toward Phoenix students and staff will be included in a separate section for the Phoenix campus on pages 67-80.***

Mission

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

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

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

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

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

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



Creighton University – Omaha Campus

Department of Public Safety

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

The Department of Public Safety is an internal security force with officers available on campus 24 hours per day. Public Safety protects and serves the Creighton community through proactive patrolling, rapid response, community outreach, security technology and safe transportation services. Public Safety seeks to ensure that all members of the community can live, learn, work and play in a safe and secure environment. Public Safety is not a sworn law enforcement agency with formal arrest powers, and they have jurisdiction only within the geographical boundaries of the Omaha Campus. However, officers are given authority to detain person(s) suspected of criminal activity under Nebraska State Statute 29-402, “Arrest by a Person Not an Officer.” In this instance, Public Safety officers will notify local law enforcement authorities, without delay, and transfer custody to that agency. Public Safety officers also receive a variety of specialized training, including cardiopulmonary resuscitation (CPR), basic first aid, the use of NARCAN, and mental health/crisis intervention, as well as verbal de-escalation, self-defense, active assailant, and Campus Security Authority (CSA) responsibilities.

The boundaries of the Omaha Campus are within the jurisdiction

of the Omaha Police Department, and Public Safety maintains a close working relationship with them. Command staff from both departments meet regularly to share and report information. Public Safety also maintains working relationships with the Douglas County Sheriff’s Office and the Nebraska State Patrol.

Security and Access to Campus Facilities

Individual security measures for Creighton’s residence halls differ slightly. All residence halls use electronic card access systems to control entry into the buildings. Depending on the residence hall, individual rooms are either secured with high-security lock systems using keys that cannot be easily duplicated, or in newer buildings, rooms are secured with electronic card access. Strict key-control procedures enhance the integrity of the system. Resident Advisors (RAs) or trained desk attendants staff the front desks of the residence halls from 3 p.m. to 7 a.m.

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

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

Over 700 surveillance cameras monitor and record activity across the campus and serve as visible deterrents to crime. Cameras assist in the department's ability to proactively monitor activity across campus. Video recordings are stored for 60 days to assist with any potential investigations.

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

Crime Prevention and Security Awareness

Public Safety conducts community outreach and crime prevention programming utilizing the knowledge and experiences of various staff members. Programs and presentations are designed to inform community members about the threat of crime and the prevention resources available. These efforts are intended to encourage community members to notice, interpret and act in terms of crime prevention and security awareness and to be responsible for their own security and the security of others.

Programs can be designed to fit individual/group needs such as:

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

Crime prevention and security awareness are conducted at least annually. Some of the programs are continuously conducted as needed throughout the year. Student Life offers a wide variety of programs and services to enhance the quality of campus life and promote safe and secure on-campus accommodations. Residence halls are staffed by professional, live-in resident directors (RDs). Each facility is also served by several live-in resident advisors (RAs). At least one professional staff member is always on duty.

Faculty, staff and students may purchase the Peace of Mind (POM), a personal mobile safety device, as an enhancement to our campus safety environment. This Bluetooth-enabled device pairs with a smartphone app to allow any user on campus to immediately summon assistance to an exact geographic location. When activated with three clicks of a button, the device places an emergency phone call to either the campus Public Safety dispatcher or to the local 911 dispatcher.

It also transmits the user's exact geolocation and personal profile to the campus Public Safety dispatcher. This device eliminates the need to carry a phone in hand, to remove gloves or to unlock the phone to make a call.

Learn more about the POM at:
creighton.edu/public-safety/pom-device

The Bluejay Shuttle service provides students and University employees with safe and convenient transportation to most sites on campus up to 20 hours a day. Riders may track the location of shuttle vehicles via the web and smart phone app. Two buses, the east shuttle and the west shuttle, run concurrently to link all corners of the campus with most destinations in between. A third shuttle provides service to connect the western parking lots to the CL and Rachel Werner Center for Health Sciences Education and the CHI Health University Campus Clinic. A free campus taxi service, the JayRide, operates between 11 p.m. and 2 a.m. Drivers serve as campus security authorities, maintain communications, and inform DPS of any observed security and safety concerns. During times when the Bluejay Shuttle and JayRide are out of service, DPS can provide transportation upon request.

For more information about Creighton's shuttle services visit:
creighton.edu/public-safety/shuttle-services

How to Report a Crime

A crime can be reported by contacting Public Safety. For emergencies, call **402.280.2911** (2911 from any campus phone) or for non-emergencies, call **402.280.2104** (2104 from any campus phone). The Public Safety phone numbers are listed throughout the Creighton University website and in various publications. Campus Emergency Procedures with appropriate phone numbers and emergency instructions are affixed to the back of all residence hall room doors.

Creighton community members are encouraged to report all incidents of crime promptly and accurately to Public Safety or the Omaha Police Department if they elect to, or are unable to, make such a report. Public Safety officers respond quickly 24/7 to meet the victim, investigate the incident, complete a report, and provide aid. Regardless of how minor the crime might seem; Public Safety officers will make every effort to encourage or assist the victim in reporting these incidents. There are no formal agreements or written memoranda of understanding between Creighton and the Omaha Police Department on the investigation of alleged criminal offenses on campus; however, community members are encouraged to report criminal incidents to the Omaha Police Department or other local law enforcement agencies. When a report is made to the Omaha Police Department, officers will respond either by direct contact with the victim, if the crime is of a serious nature, or referral to the non-emergency/minor crimes Telephone Report Squad at 402.444.4877 or online at police.cityofomaha.org/file-electronic-report. If a crime occurs at one of Creighton's non-campus locations, reports will be made with the agency having jurisdiction over the property. A significant network of University and external support services is also available to all victims.



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

Campus Security Authorities

Even though all community members are encouraged to report criminal incidents to Public Safety, the University recognizes this may not always be the case. A community member may wish to report an incident to someone other than Public Safety. For this reason, the Clery Act requires the University to collect crime reports from a variety of individuals and organizations throughout campus. These individuals or organizations are referred to as “Campus Security Authorities” or CSAs. CSAs are included within four different groups at the University:

- **A campus police or security department:** This includes all members of Public Safety
- **Any individuals who have responsibility for campus security but are not part of Public Safety:** This may include desk receptionists, door monitors, or other event security.
- **Individuals designated by the University to receive reports of criminal offenses from students and employees:** This includes the offices of Title IX and Civil Rights Compliance, Community Standards and Student Conduct, and the VIP Center.
- **An official who has significant responsibility for students and campus activities:** This may include Residential Life, Student Life, Athletics, Student Organization Advisors, Academic Advisors, Academic Deans, etc.

If a criminal incident is reported to a CSA, they will advise the reporting party of their obligation to report the incident to the University for inclusion in the campus crime statistics. This information can be forwarded without any personal identifying information.

Voluntary and Confidential Reporting

Creighton University provides the option for victims or witnesses to report crimes on a voluntary and confidential basis for inclusion in the annual disclosure of campus crime statistics. When confidential reporting is not available, every effort will be made to protect the confidentiality of victims and witnesses, should they so desire.

Private, confidential, or anonymous reports can be made in the following ways:

- Report to the Violence Intervention and Prevention (VIP) Center: Lower Brandeis Hall, B04
vipcenter@creighton.edu | 402.280.3794
- Report online through the Tell Someone reporting form:
creighton.edu/safety/tell-someone
- Ethicspoint reporting hotline or secure website:
855.256.0478
secure.ethicspoint.com/domain/media/en/gui/43718/

While anonymous reporting is available, and all reports will be reviewed, Creighton’s ability to investigate and appropriately address allegations of misconduct will be significantly limited.

Community members may make confidential reports to pastoral or professional counselors. Although there is no policy requiring counselors to inform community members they can report incidents of crime to the University, Creighton University encourages counselors to do so, if and when they deem it appropriate.

Mandatory Reporting

The University requires all faculty and staff to report incidents of harassment, discrimination, sexual and/or relationship misconduct to the Office of Title IX and Civil Rights Compliance. Student employees, in the administration of their job duties, are also considered mandatory reporters.

All individuals in the state of Nebraska are mandatory reporters of child abuse and neglect. Reports of suspected child abuse and neglect must be made to local authorities or the Nebraska Child Abuse and Neglect Hotline: 800.652.1999 or dhhs.ne.gov/Pages/Child-Abuse.aspx.

Daily Crime Log

Public Safety maintains a daily crime log to record all alleged criminal incidents. Information in the crime log includes the incident number, the crime classification, the date the incident occurred and was reported, the general location, and the disposition of each event. The crime log for the most recent 60-day period is available for public inspection in the Public Safety office during normal business hours. Any logs beyond 60 days will be made available for inspection in the Public Safety Office within two business days of a request.

Emergency Response and Evacuation

Information that would warrant an emergency notification or a timely warning to the community should be reported to Public Safety at 402.280.2911 (2911). Emergency notifications and timely warnings are intended to aid in keeping the campus community safe and healthy.

Creighton University’s Emergency Operations Planning, policy 2.1.34, organizes campus emergency operations under the direction of the Critical Incident Response Team (CIRT). The President has delegated authority to the CIRT to direct immediate actions in response to any physical, cyber, or reputational threats to the University. This policy also creates the University Preparedness Committee (UPC). The UPC is chartered to develop protocols, standards, procedures and organizational structures that will ensure Creighton University is a secure and resilient campus, with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risks.

Emergency preparedness resources for the campus are available at: creighton.edu/public-safety/emergency-info.

Campus emergency procedures provide specific, concise guidance to community members for a variety of events, including bomb threats, chemical spills, crimes, fires, and medical and weather emergencies.

This information is accessible and can be downloaded at: creighton.edu/fileadmin/user/AdminFinance/PublicSafety/docs/CampusStickerFINAL.pdf.

One element of the University’s Emergency Operations Plan involves emergency response and evacuation, which outlines the steps that will be taken to alert community members to active threats, so they may take immediate measures to mitigate their exposure to such events.

CreightonAlert Notification System

CreightonAlert is a multimodal system that allows the University to immediately notify the campus community with timely information about emergencies, dangerous situations, or other safety and security concerns using voice, email and/or text messaging. Student cell phone numbers are automatically added to text messaging via CreightonAlert and reaches each faculty, staff and student email account.

More information is available about this system and community members are urged to enroll in CreightonAlert at: my.creighton.edu/cualert.

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

Emergency Notifications

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

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

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

Upon confirmation that a significant emergency or dangerous situation threatens the well-being of community members, the CIRT leader or the Public Safety supervisor will, without delay, and taking into account the safety of the community, determine the content of the notice and initiate an emergency notification to make all campus members aware of the nature and location of the event. Public Safety dispatchers are prepared to send out

messages using a standardized template to facilitate a rapid distribution of the communication. The content of the messages, drafted by the CIRT, involve a tornado warning alert, a hazardous material spill alert, a bomb threat alert, a structure fire alert, a dangerous person alert, a shooting alert, an assault alert, a robbery alert, a general nonspecific disturbance alert, University closing notifications due to inclement weather or power failure, and finally, a test, an all-clear and a disregard message alert. These messages can be adjusted to fit the specific circumstances of each incident, or they can be developed if a situation occurs that is not included in the standardized templates.

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

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

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

Timely Warnings

Under certain circumstances, serious incidents occur that require the campus community to be alerted in a timely manner that will aid in the prevention of similar incidents. Timely Warnings are CreightonAlerts issued by the Department of Public Safety to make the community aware of Clery Act crimes occurring within Creighton's Clery Act geography that are considered to represent a serious or continuing threat to the campus community. All Clery Act crimes reported to Public Safety or other campus security authorities will be evaluated to determine if a serious or continuing threat exists. If such a threat exists, Public Safety officials will use timely warnings to broadcast pertinent information and appropriate response via voice, email and text messaging. Clery Act crimes include murder, non-negligent and negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson.

Campus Safety Bulletins

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

Emergency Drills and Testing

Each year, the University will conduct at least one announced campus-wide emergency response/evacuation drill. This event is scheduled to occur in conjunction with a Douglas County tornado siren test during the Spring semester. During the week prior to and in conjunction with the drill, a campus-wide notification will be sent providing specific details about the drill and general information on Campus Emergency Procedures.

On the selected date, Douglas County's civil defense sirens will be activated. Once activated, the Department of Public Safety will initiate an emergency notification via CreightonAlert, and community members are expected to evacuate to, or discuss the location of, the designated tornado shelter areas. This campus-wide event will interrupt classes and other normally scheduled activities. Instructors will stop class and either explain to students the location of the nearest storm shelter or escort the class directly to the nearest storm shelter. Managers and supervisors are to do the same for their staff members. Students in residence halls will be directed to the designated storm shelter, and students on campus at large will be instructed to proceed to the nearest storm shelter. Each building on campus has signage with directions to the building's storm shelter. During the drill, observers monitor the movement of the participants in their designated area. Each observer has a checklist to document the length of the drill, determine knowledge of storm shelter locations, space available in the storm shelters, and answer any questions of the participants. These reports are then forwarded to the Department of Public Safety for review. Final documentation of each drill will provide the day, date, and time of the drill, whether the drill was announced or unannounced, and a description of the drill. This documentation will also include any changes or recommendations to be addressed.

Missing Students Notification Policy

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

All students who live in on-campus housing are affected by this policy. Certain additional conditions apply for those residential students who are under the age of 18 (19 in Nebraska) and not emancipated at the time they are believed to be missing.

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

Designation of Confidential Missing Person Contact

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

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

Where to Report a Missing Student

If any person believes that a student has been missing for more than 24 hours, they should immediately report this information to Public Safety at 402.280.2911 (2911) or 402.280.2104 (2104).

Important information to share includes:

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

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

A University representative will attempt to contact the student by:

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

If Public Safety determines that the student has been missing for more than 24 hours, the University Missing Student notification procedures outlined below will be initiated. If Public Safety is notified at any time prior to 24 hours, and evidence indicates a high likelihood the person is missing, the notification procedures will be activated at that time.

Notification Procedures

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

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

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

Clery Geography Property Definitions and Maps

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

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

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

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

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

Charles Schwab Field Omaha – 1200 Mike Fahey St.

CHI Health Center Omaha – Arena and Convention Center –
455 N. 10th St.

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

Creighton has eight on-campus residence halls on the Omaha Campus: Davis, Deglman, *Graves**, Heider, Kenefick, McGloin, Opus, and Swanson. (*Kiewit***)

****Atlas Apartments; 2929 California Plaza*

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

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

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

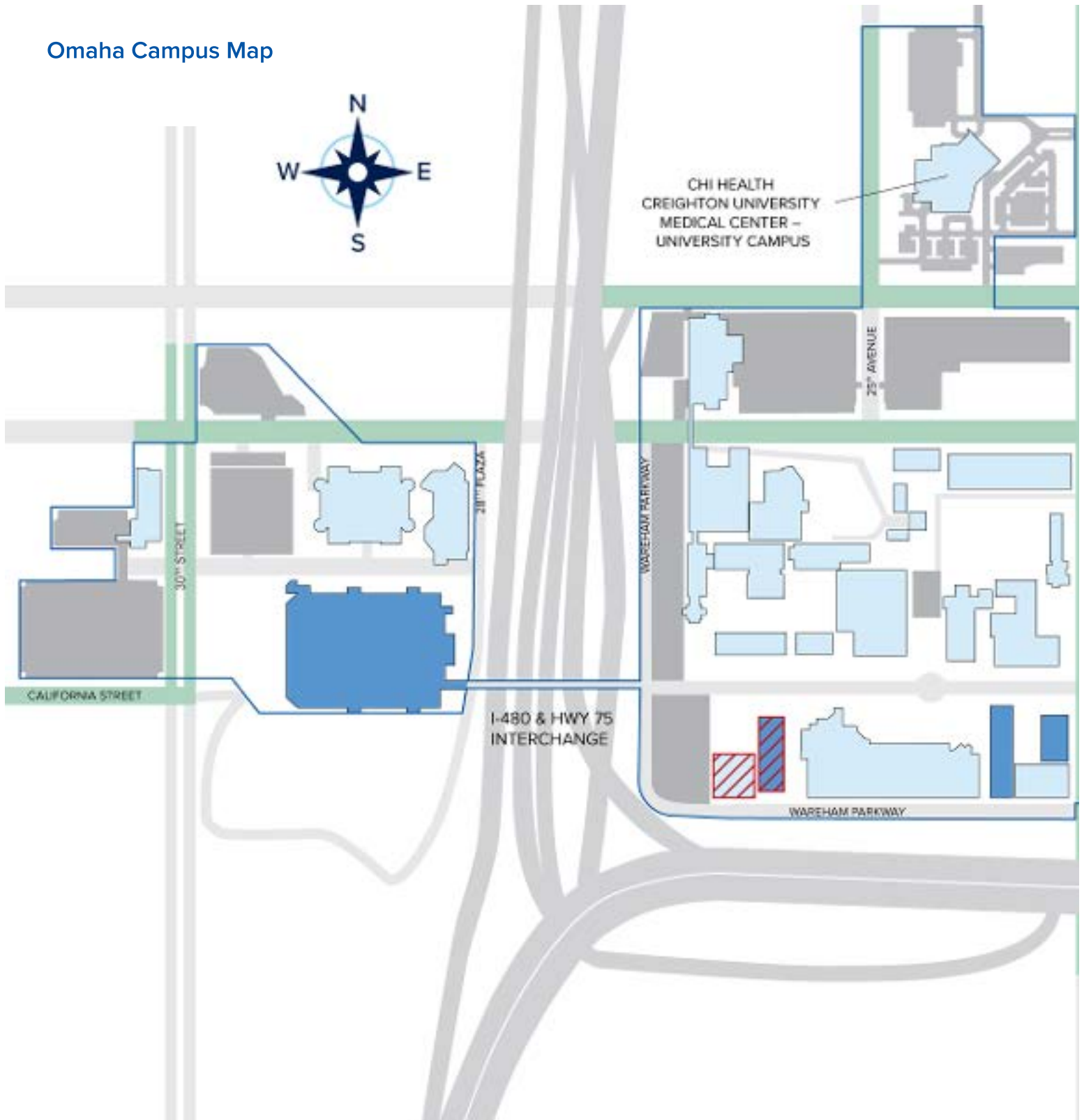
1. Medical facilities where Creighton University maintains educational space for professional students in the health sciences
2. Athletic facilities more than 1 mile from the main campus where Creighton University athletic teams conduct practices or competitions
3. Facilities used to support post-graduate service teaching programs.
4. Facilities used to administer University services to the community such as the Highlander Accelerator – 2112 N. 30th St.
5. Hotels and other facilities used by Creighton University students during short-stay trips for activities when one or more of the following is true:
 - It is a repeated visit to one location for overnight stay (the institution goes to the same location each year)
 - It is an "away" trip (institutional trip of more than one night)
 - It is an institutionally owned or controlled property abroad that is frequently used by students but does not fit the definition of a separate campus

**Graves Residence Hall opened for the Fall Semester in August 2023. No "on-campus housing" crime or fire statistics are available prior to opening.*

***Kiewit Residence Hall was closed after the Spring Semester of 2023 and has been demolished. "On-campus housing" crime and fire statistics will be included in this report for the period until it was vacated.*

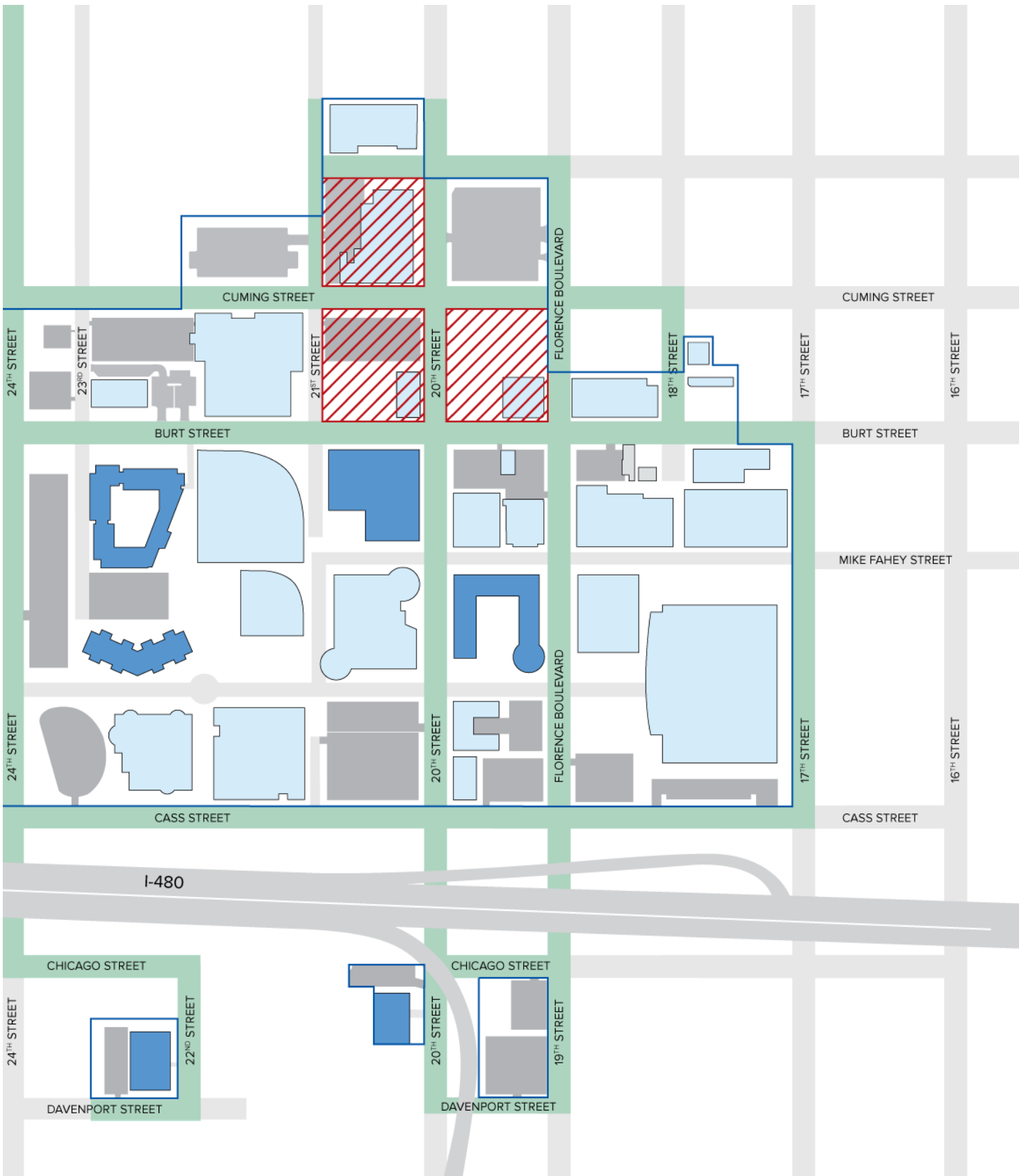
****For the 2024-2025 academic year, CU leased 10 apartment units at The Atlas Apartments to house additional students. "On-campus housing" crime and fire statistics will only be provided for the individual units and any common areas within the building used by all tenants.*

Omaha Campus Map



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

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



- On-Campus Student Housing Facilities
 - Other On-Campus Buildings
 - Parking Lots
- Public Property
 - Closed or Demolished Buildings and Parking Lots
- On-Campus Property Boundary



Campus Crime Classifications

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

Uniform Crime Reporting (UCR) Definitions

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

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

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

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

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

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Robbery: The taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

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

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

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

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

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

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

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

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

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

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

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

Burglary: The unlawful entry of a structure for the purpose of committing a felony or a theft.

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

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

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

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

Arson: Willful or malicious burning or attempt to burn with or without intent to defraud a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

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

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

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or facial hair; facial features, etc., generally transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
- **Gender:** A preformed negative opinion or attitude toward a person or a group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be lesbian, gay, bisexual or transgender person but may be perceived as such.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
- **Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual and heterosexual (straight) individuals.
- **Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.
- **National Origin:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived country of origin. This bias may be against people who have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Hate Crimes

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

Unfounded Crimes

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

Campus Crime Statistics – Omaha Campus

Crime Category	Number of Incidents Reported														
	On-Campus Student Housing			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense															
Rape	10*	8**	5	2	2**	0	12*	10**	5	1	0	0	0	0	0
Fondling	33*	3**	1	1	1**	1	34*	4**	2	0	1	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	1	0	0	1	0	2	0	2	0	0
Aggravated Assault	0	0	0	0	5	2	0	5	2	0	0	0	1	4	0
Burglary	1	5	2	2	7	1	3	12	3	0	1	0	0	0	0
Motor Vehicle Theft	0	0	0	10	2	12***	10	2	12***	1	3	4***	3	4	11***
Arson	3	0	0	1	0	0	4	0	0	0	0	0	0	0	0

*During the spring semester of 2021, a group of students reported to the University that they had experienced numerous instances of rape and fondling during the fall 2020 semester. The students reported these actions were all committed by the same individual student. Upon receiving the report, University officials immediately removed the accused student from campus and opened an investigation. The accused student did not return to the University. The students who reported to the University could not provide an exact number of incidents involving the accused student. To accurately report these incidents in our campus crime statistics, the Department of Education advised the University to estimate the number of incidents occurring to each reporting party based on the information provided. This accounted for 4 rapes and 25 fondling incidents in the 2021 statistics, all occurring in on-campus housing. Several of the incidents also met the elements of dating violence and are reported as such in the VAWA statistics.

**In October of 2022, the University received a detailed letter from a person who, as a minor, accompanied an adult to Creighton University during the Summer of 1969. The writer reported being sexually assaulted by the adult at various locations on campus. The Department of Education advised the University to include these crimes in the 2022 statistics, which accounted for 3 rapes and 1 fondling incident, all occurring on-campus.

***In 2021, a Tik Tok video emerged showing the vulnerability of certain KIA and Hyundai models manufactured prior to 2021. Data from the Highway Loss Data Institute revealed a 1000% increase in thefts of these types of vehicles across the country including Omaha. Unfortunately, Creighton was not spared. Of the 27 motor vehicle thefts reported by Creighton, 18 involved KIA and Hyundai models.

Hate Crimes – Omaha Campus

Year	Description	Category
2021	No hate crimes reported	N/A
2022	1-Theft of a "Pride Flag" bumper sticker from a vehicle	Sexual Orientation
2023	1 - Theft of a "Pride Flag" from an office window. 1 - Harassment/Intimidation about "Pride" sticker in an office window.	Sexual Orientation Sexual Orientation

Unfounded Crimes – Omaha Campus

Year	Description	Police Report
2021	1 – Vehicle reported stolen from the Bergan Mercy Hospital parking lot. OPD later determined the owner forgot where they parked.	AR77098
2022	1 - Vehicle reported stolen from the Methodist Hospital parking lot. OPD later determined the owner forgot where they parked	AR96824
2023	1 - Vehicle reported stolen from "on campus". OPD determined the student forgot where they parked. 1 - Vehicle reported stolen from "public property". OPD later determined the student forgot where they parked.	AS88619 AS92807



Sexual Harassment Prevention and Awareness Programming – Omaha Campus

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

Creighton University prioritizes the safety of students, faculty and staff on campus and works diligently to reduce the risk of harassment, discrimination and/or sexual or relationship misconduct among members of the Creighton community. To further this endeavor, Creighton offers ongoing programming, education and campaigns geared toward violence prevention and awareness involving numerous offices on campus including: The Violence Intervention and Prevention (VIP) Center, Office of Title IX and Civil Rights Compliance (T9-CRC), Student Counseling Services, Division of Student Life, Department of Residential Life, Fraternity and Sorority Life, Athletics, Student Leadership and Involvement, and Public Safety.

Educational programs, online trainings and presentations are offered to raise awareness for all incoming students, faculty and staff, and are conducted during new student and new faculty/ staff orientation as well as other times throughout the year. These programs aim to raise awareness, while also focusing on primary prevention, awareness programs and bystander intervention. These programs provide an overview of Nebraska laws and Creighton policies on sexual and relationship misconduct, including definitions and warning signs and a review of the definition of consent. These programs also provide the elements of risk reduction and information on procedures the university will follow when a report of sexual and relationship misconduct is reported, as well as the rights within disciplinary hearings.

Each year, the T9-CRC and VIP Center provide prevention education to thousands of students, faculty, and staff. These educational events take place at employee and student

orientations, residence life and athletic training, and other ongoing prevention and awareness campaigns and events, including poster and social media campaigns, Denim Day, fairs, exhibits, receptions, informal tabletop meetings, as well as Green Dot Bystander Intervention Training.

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

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

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

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

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

Student Training: All students involved in New Student Orientation and Residential Life complete training through the Office of Title IX and Civil Rights Compliance and the Violence Intervention and Prevention Center. This training includes information on Creighton University's Title IX Sexual Harassment Policy and Non-Discrimination Policy, warning signs of interpersonal violence, how to provide support to students who have experienced inter-personal violence, confidential support available on-campus, and reporting options. Much of this training is interactive and scenario-based to provide student staff the opportunity to practice difficult conversations.

Health Care Presentations: VIP Center staff presents information to students in the health professions regarding trauma-informed health care. These events include presentations to nursing students, medical students, physician's assistant students, and dental students.

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

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

Interpersonal Violence Programming Events: The VIP Center hosts events throughout the year for students, staff, faculty and community members. The most notable events include Take Back the Night. Take Back the Night is an annual event in which survivors of sexual and relationship violence share their stories of victimization, survival, and healing. Members of the Creighton community bear witness to the stories of their peers, classmates, professors and students.

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

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

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

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

Escalation: Escalation is a program through the One Love Foundation that focuses on dating violence and red flag behaviors. The program identifies "red flag" behaviors such as physical violence, coercion, verbal abuse, and controlling behaviors. The program includes both a film and discussion.

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

FSL Events: The Office of Title IX and Civil Rights Compliance presented "Title IX and Consent" at new member orientation. This program covers the definition of consent and what consent entails. This program also covers reporting options and processes, as well as resources and support available on campus.

Ongoing prevention and awareness campaigns are active and passive programs offered throughout the academic year by the VIP Center, the T9-CRC and other campus partners that have a goal of educating the campus community on issues of sexual and relationship misconduct. In addition to all of the above programs, the University also provides these ongoing prevention and awareness programs.

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

Social Media: As part of their social media strategy, the VIP Center shares affirmations, self-care ideas, information about healthy relationships and details on how to support friends who have experienced interpersonal violence.

Fundraisers: The VIP Center participates in Creighton University's Giving Day. Proceeds from this event are put toward hosting major events such as Take Back the Night.

Creighton University Title IX Sexual Harassment and Non-Discrimination Policy Statements

Amnesty

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

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

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

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

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

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

Employees: Sometimes, employees are hesitant to report incidents of discriminatory harassment or retaliation they have experienced for fear that they may get in trouble themselves. For example, an employee who has violated the Romantic or Intimate Relationships Policy and is then assaulted in the course of that relationship might hesitate to report the incident to Creighton officials.

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

Consent

Consent is affirmative by definition. Consent is an *explicitly communicated* mutual agreement in which all parties make an *informed, voluntary* and *active* decision to engage in specific

sexual activity. Consent is words or actions a reasonable person in the perspective of the respondent would understand as agreement to engage in the sexual conduct at issue. It is the responsibility of any person wishing to engage in sexual activity with another person to determine the capacity of that potential sexual partner to provide consent.

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

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

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

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

Coercion

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

Discrimination

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

Discriminatory Harassment

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

Force

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

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

Freedom of Expression and Academic Freedom

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

Hostile Environment

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

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

In determining whether a reasonable person in the complainant's circumstances would find the work or educational environment to be hostile, the totality of the circumstances must be considered. A hostile environment is not determined solely on the number of offensive incidents. A single, isolated incident may create a hostile environment if the incident is sufficiently severe (e.g., a single but extremely targeted, individualized and derogatory discriminatory statement).

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

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

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

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

Incapacitation

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

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

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

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

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

- Lack of control over physical movements; difficulty walking, stumbling, falling down; being unable to stand or walk without assistance
- Slurred speech or inability to communicate clearly
- Inability to focus or confusion about the circumstances
- Vomiting
- Unconsciousness or periods of unconsciousness; blackouts

Sexual Harassment

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

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

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

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

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

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

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

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

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

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

Dating Violence: Violence committed by a person:

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

- The frequency of interaction between the persons involved in the relationship

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

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

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

Sexual Exploitation

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

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
- Invasion of sexual privacy
- Taking pictures, video or audio recording of another in a sexual act, or in any other sexually-related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of revenge pornography
- Prostituting another person
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the infection
- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity
- Misappropriation of another person's identity on apps, websites or other venues designed for dating or sexual connections
- Forcing a person to take an action against that person's will by threatening to show, post or share information, video, audio or an image that depicts the person's nudity or sexual activity
- Knowingly soliciting a minor for sexual activity
- Engaging in sex trafficking
- Creation, possession or dissemination of child pornography

Federal Laws Related to Title IX and Sexual Harassment

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

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

Violence Against Women Reauthorization Act (VAWA) Definitions

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

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

statutes be included as well.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s UCR program.

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

- **Rape** – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim
- **Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity
- **Incest** – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
- **Statutory Rape** – Sexual intercourse with a person who is under the statutory age of consent

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

Violence Against Women Act (VAWA) Offenses – Omaha Campus

Crime Category	Number of Incidents Reported														
	On-Campus Student Housing			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Domestic Violence	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0
Dating Violence	11*	0	3	2	0	1	13*	0	4	0	0	0	0	0	1
Stalking	4	2	0	1	5	9	5	7	9	0	0	0	0	0	0

*During the spring semester of 2021, a group of students reported to the University that they had experienced numerous instances of rape and fondling during the fall 2020 semester. The students reported these actions were all committed by the same individual student. Upon receiving the report, University officials immediately removed the accused student from campus and opened an investigation. The accused student did not return to the University. The students who reported to the University could not provide an exact number of incidents involving the accused student. To accurately report these incidents in our campus crime statistics, the Department of Education advised the University to estimate the number of incidents occurring to each reporting party based on the information provided. Several of the incidents also met the elements of dating violence and are reported as such in the VAWA statistics. This accounted for 11 dating violence incidents in the 2021 statistics, all occurring in on-campus student housing.

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

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

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

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

Nebraska State Laws: Harassment, Discrimination, Sexual and Relationship Misconduct

Consent

1. Nebraska currently does not provide an affirmative definition of consent; however, provides within its statutes what "without consent" means.
2. Without consent means:
 - a. (i) The victim was compelled to submit due to the use of force or threat of force or coercion, or (ii) the victim expressed a lack of consent through words, or (iii) the victim expressed a lack of consent through conduct, or (iv) the consent, if any was actually given, was the result of the actor's deception as to the identity of the actor or the nature or purpose of the act on the part of the actor
 - b. The victim need only resist, either verbally or physically, so as to make the victim's refusal to consent genuine and real and so as to reasonably make known to the actor the victim's refusal to consent
 - c. A victim need not resist verbally or physically where it would be useless or futile to do so

Relationship Misconduct

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

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

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

Dating Violence: Nebraska does not have a specific statute related to dating violence. However, a dating relationship is included as part of the definition of "intimate partner" for the elements of Domestic Assault. When the elements indicate the involved parties are in a dating relationship, the incident will be documented as "dating violence" for statistical purposes.

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



Sex Offenses

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

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

Sex Offender Laws and Registries

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

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

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

Creighton University Title IX Sexual Harassment Policy Statements

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

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

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

The purpose of this policy is:

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

U.S.C. § 13701 et seq.; reauthorized 34 U.S.C. § 12291), and the Clery Act (see 20 U.S.C. § 1092)

- To set forth guidance for preventing sexual harassment and retaliation
- To enable Creighton in its effort to take timely corrective action when sexual harassment and/or retaliation occur
- To establish a consistent process for resolving complaints sexual harassment and/or retaliation in a fair and just manner

Scope of Policy

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

This policy does not apply to sexual harassment that occurs off campus, in a private setting and outside the scope of the University's education programs or activities; such misconduct is governed by Creighton University's Non-Discrimination Policy.

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

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

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in the University's education programs or activities, such as a study abroad program. Sexual harassment that occurs outside the geographic boundaries of the United States is governed by Creighton University's Non-Discrimination Policy.

Non-Title IX Related Offenses

If a student or employee is accused of an act of sexual harassment that is not covered by the regulations of the Title IX Sexual Harassment Policy, or if the act occurred outside the geographic boundaries of the United States, Creighton University will utilize its Non-Discrimination Policy to govern the disciplinary process. The procedures, training, standards of proof, and sanctions directed by the Non-Discrimination Policy are the same as those described in this section under the Title IX Sexual Harassment Policy, with two exceptions: There will be no formal live hearing process, and the Title IX Coordinator will serve as the decision maker after consultation with appropriate University officials for all non-Title IX offenses.

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

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

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

Procedures to Follow When a Crime of Sexual Assault, Dating/Domestic Violence, or Stalking has Occurred

Creighton University works to prevent incidents of sexual assault, dating/domestic violence, and stalking through prevention and education. However, when an alleged crime occurs, Creighton University will take all necessary and reasonable steps to prevent such conduct and promptly address conduct to be found in violation of the University's Title IX Sexual Harassment Policy 2.1.35.

Creighton University will offer and make available appropriate and reasonable Supportive Measures to parties (Complainants and Respondents) and as necessary, to other members of the University community, upon notice of an alleged incident. Support is offered at the time an incident is reported, throughout the investigative process, and following the investigation and/or adjudication of an incident.

Special Advice for Individuals Reporting Sexual Assault, Dating/Domestic Violence, or Stalking *(cited in Policy 2.1.35)*

Anyone who believes they are the victim of sexual assault, domestic/dating violence, or stalking should get to a place of safety and do everything possible to preserve evidence by making certain that the crime scene is not disturbed. Preservation of evidence may be necessary for proof of the crime or in obtaining a protection order.

For those who believe that they are victims of sexual assault, domestic/dating violence, or stalking the University recommends the following:

- Get to a safe place as soon as possible.
- Try to preserve all physical evidence of the crime—avoid bathing, using the toilet, rinsing one's mouth, or changing clothes. If it is necessary, put all clothing that was worn at the time of the incident in a paper bag, not a plastic one.

- Do not launder or discard bedding or otherwise clean the area where the assault occurred; preserve for law enforcement.
- Preserve all forms of electronic communication that occurred before, during, or after the assault.
- Contact law enforcement by calling 911.
- Get medical attention—all medical injuries are not immediately apparent. Also, local hospitals have evidence collection kits necessary for criminal prosecution should the victim wish to pursue charges. Take a full change of clothing, including shoes, for use after a medical examination.
- Contact a trusted person, such as a friend or family member, for support.
- Talk with a professional licensed counselor, University chaplain, or health care provider who can help explain options, give information, and provide emotional support.
- Make a report to the Title IX Coordinator.
- Explore this policy and avenues for resolution under the Title IX Grievance Process.

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

Options for Individuals Reporting Sexual Assault, Dating/Domestic Violence, or Stalking

Once a report of sexual assault, domestic violence, dating violence, or stalking is made, the victim has several options such as:

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

The University can assist individuals in obtaining a personal protection order (PPO).

University Procedures When an Incident of Sexual Assault, Dating/Domestic Violence, or Stalking is Reported

Victims are offered support through the Violence Intervention and Prevention (VIP) Center. This is a free, confidential advocacy center on campus.

Victims are offered access to immediate medical and counseling options. Transportation can be provided to a hospital specializing in sexual assault examination and care if the victim wishes to seek such medical care.

A confidential advocate in the VIP Center (Omaha campus resource) or the Women's Center for Advancement (WCA) (Omaha community resource), in consultation with other offices as necessary, will inform the victim of where and how to access a Sexual Assault Nurse Examiner (SANE) and rape kit. An advocate from the VIP Center or the WCA will accompany a victim to a medical exam.

Victims are notified about services both on and off-campus. Specifically, the University will provide written notification to students, faculty, and staff about counseling, health, mental health, advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims.

The VIP Center and the Office of Title IX and Civil Rights Compliance will provide guidance to individuals regarding the preservation of evidence and options for notifying law enforcement. They will assist victims in notifying law enforcement if the victim wishes to report an incident or if the University deems the notification necessary.

Supportive Measures may be requested at any time following an incident. Supportive Measures may be put into place regardless of whether the victim chooses to report to the Office of Title IX and Civil Rights Compliance, campus police, or local law enforcement. Victims are made aware of their ability to obtain Supportive Measures and what measures are available to them.

Creighton University will maintain the confidentiality of Supportive Measures, as implemented through the University's Office of Title IX and Civil Rights Compliance to the extent that maintaining such confidentiality does not impair the office's ability to provide the Supportive Measures. The Title IX Coordinator or their designee will notify victims before sharing personally identifying information that the University believes is necessary to provide a Supportive Measure, including what information will be shared, with whom, and for what reason.

The University will provide written notification to parties about options for, available assistance with, and how to request to academic, living, transportation, and working situations or other, similar Supportive Measures. Individuals may contact the Title IX Coordinator (Allison Taylor) at 402.280.4120 or titleix@creighton.edu.

The Office of Title IX and Civil Rights Compliance, in consultation with other offices as needed, may authorize contact restrictions between parties. This is for protection of either or both parties. A contact restriction from the University prevents parties from contacting each other in any way, including through third parties. Victims may also wish to consider a "Protection Order" from their local court. This is a civil proceeding independent of the University. Whether a contact restriction is issued by the University, or a court authorized protection order is issued, Creighton University will, to the extent possible, assist the protected person in benefiting from the restrictions imposed by the court and the University and will also facilitate on-campus compliance with the order.

Reporting the Incident

A victim may choose to proceed in whatever way they are most comfortable. Creighton University strongly encourages all victims to report incidents of sexual harassment, but they are not required to do so. Deciding whether to report an incident is a personal and often difficult decision. There are options available

to victims in this decision process. Creighton will offer support in however a victim chooses to move forward after an incident.

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

In promoting the best interests of the campus community and encouraging individuals to report to the Office of Title IX and Civil Rights Compliance, the University offers amnesty from minor policy or conduct violations related to the incident.

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

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

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

A copy of the Title IX Resource Guide is available to all students and employees on the Office of Title IX and Civil Rights Compliance website. A hard copy is also available through the Office of Title IX and Civil Rights Compliance. A full list of resources is available on pages 53–55 of this report.

Reporting Options

Law Enforcement: All individuals have the right to report an incident to state or local law enforcement or prosecution authorities. Individuals may also decline notifying law enforcement authorities if they so choose. Reporting an incident to law enforcement or filing a criminal complaint does not preclude an individual from filing a complaint with the Office of Title IX and Civil Rights Compliance or vice versa. Complaints can be filed simultaneously with the University and law enforcement. If you would like University assistance in filing a report with local authorities, please contact the VIP Center.

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

Lower Brandeis Hall, B04
vipcenter@creighton.edu | 402.280.3794

Office of Title IX and Civil Rights Compliance: If an individual would like to file a formal complaint of sexual harassment to the University, the Office of Title IX and Civil Rights Compliance (T9-CRC) oversees and responds to all reports of sexual harassment at Creighton University. Regardless of whether a police report is made, where the incident occurred, or how a party would like to proceed, T9-CRC will provide individuals with the Title IX Resource Guide. This guide will provide information about available supportive measures which may include:

- Contact restrictions
- Adjustments to on-campus living arrangements
- Adjustments to work environment and/or duties
- Adjustments to class schedules or Creighton activities
- Adjustments to academic requirements
- Campus escorts and/or transportation arrangements
- Administrative separation from the University
- Safety planning

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

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

Creighton Hall 340 (Omaha Campus)
titleix@creighton.edu | 402.280.3189

Anonymous Reporting: While anonymous reports are accepted and will be reviewed by T9-CRC, Creighton's ability to address alleged sexual and/or relationship misconduct reported by anonymous sources may be significantly limited. In cases where an individual reporting sexual harassment requests anonymity, the University will attempt to honor that request but, in some cases, may determine that the University needs to proceed with an investigation based on concern for the safety or well-being of the broader University community

Preservation of Evidence and Medical Care

If an individual has experienced an incident of sexual assault, dating violence, domestic violence or stalking, Creighton encourages the preservation of evidence in order to maintain options of reporting the incident or obtaining a protection order

if an individual chooses to do so. Individuals are NOT required to make a report to local authorities to receive medical care and assistance. Creighton offers the following items for consideration:

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

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

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

- **Full Law Enforcement Report with Evidence Collection:** The victim wishes to report the crime to law enforcement and is opting to have forensic treatment and forensic evidence collected.
- **Partial Report with Evidence Collection:** The victim wishes to have medical forensic treatment and forensic evidence collected; however, they may be undecided over whether to formally report the crime to law enforcement. The victim will have the option of participating in a partial report that will allow the collection of forensic evidence, the consent to submit such evidence for DNA testing, and to provide only their name to law enforcement.

- **Anonymous Reporting with Evidence Collection:** Victims also have the right to have forensic treatment and forensic evidence collected without providing their name or any other personal information to law enforcement. The anonymous report ensures that the victim has the opportunity to preserve evidence, that would otherwise be destroyed, should they decide to report at a later time.

Obtaining a Protection Order in Nebraska

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

If a court authorized protection order is issued, Creighton University will, to every extent possible, assist the protected person in benefiting from the restrictions imposed by the court and will also facilitate on-campus compliance with the order.

There are three types of protection orders available:

- **Domestic Abuse Protection Order:** For people who have been in close relationships (relatives, spouses or former spouses, people who have lived or are living together, etc.). It is granted because someone attempted, threatened, caused bodily injury or intimidated the other person by credible threat, or engaged in sexual contact or sexual penetration without consent.
- **Harassment Protection Order:** Does not depend upon relationships but requires a number of telephone or personal contacts that seriously terrify, threaten or intimidate the victim and serve no legitimate purpose.
- **Sexual Assault Protection Order:** Does not depend upon relationships and is granted because someone subjected or attempted to subject the other person to sexual contact or sexual penetration without consent.

Individuals should complete the forms found on the link below and give them to the district court clerk. The clerk cannot provide legal advice. Once the forms are completed the clerk gives the forms to the judge.

To access "The Protection Order Form Guide," or for additional assistance, please visit: supremecourt.nebraska.gov/protection-order-form-guide

The order is not in effect until a sheriff or deputy gives a copy of it to the named party. That person will be given a copy of all the papers filled out. The victim has the right to request a confidential address if they are afraid to reveal it. The restrained person can request a hearing from a judge so that both sides can tell the judge their side of the story. The victim must appear for the hearing, or the judge will likely dismiss the order. If a hearing is scheduled, the clerk will contact the victim with date, time, and location of the hearing. It is important that the clerk know how to get in touch with the victim. Domestic abuse prevention agencies or victim witness agencies can help a victim plan to remain safe while ensuring the clerk can still find them. For assistance, contact the local domestic violence prevention agency.

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

For more information on frequently asked questions regarding Nebraska protection orders: supremecourt.nebraska.gov/self-help/protection-order-information/frequently-asked-questions

Off-Campus Confidential Advocacy

Nebraska - Omaha Campus

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

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

Filing a Complaint with an Outside Agency An individual has the right to file a complaint with outside enforcement agencies, including:

- United States Department of Education's Office for Civil Rights (OCR) ed.gov/about/offices/list/ocr/index.html
- Equal Employment Opportunity Commission (EEOC) eeoc.gov
- Nebraska Equal Opportunity Commission (NEOC) neoc.nebraska.gov
- Nebraska Department of Labor dol.nebraska.gov
- State of Nebraska Judicial Branch supremecourt.nebraska.gov/self-help/small-claims
- City of Omaha Office of Human Rights and Relations humanrights.cityofomaha.org

NEW TITLE IX REGULATIONS

In April of 2024, the Department of Education released new Title IX regulations to provide vital protections against various forms of sex discrimination and sex-based harassment. The 2024 regulations replaced the previous regulations which went into effect on August 14, 2020. These new regulations went into effect on August 1, 2024, and any incidents of sex discrimination or sex-based harassment occurring after August 1, 2024, will be adjudicated using the new regulations. Any incidents occurring before this date will be adjudicated using the 2020 standards. The adjudication process under the new regulations can be found on pages 44-50.

In May of 2024, Nebraska and five other states filed a lawsuit to prevent implementation of the 2024 Title IX regulations. In July, an injunction was issued, halting the implementation in those states. As a result, any Title IX related incidents occurring in Nebraska and reported to Creighton University will be adjudicated under the 2020 regulations until the injunction is resolved. The adjudication process under the 2020 regulations can be found on pages 33-43

Arizona is not included in the multi-state injunction, and any Title IX related incidents occurring on the Phoenix Arizona campus after August 1, 2024 will be adjudicated using the 2024 regulations.

Once the multi-state injunction has been resolved, any Title IX related incidents occurring in Nebraska will be adjudicated using the 2024 regulations.

Reporting an Incident of Sexual or Relationship Misconduct: Disciplinary Processes 2020 Regulations

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

Formal Complaint Process

Creighton University recognizes the importance of prompt, fair and impartial procedures for all members of the community involved in this process. Truth, integrity, and credibility are critical and distinctive principles of the University. Caring for the individual person can mean holding them accountable for their actions, if those actions are a violation of University's Title IX Sexual Harassment or the Non-Discrimination policies (policy/policies). Adherence to these procedures is essential for the efficient progress and for the preservation of the trust of the community.

Creighton University will investigate all reported incidents of harassment, discrimination, sexual/relationship misconduct and/or stalking after the Office of Title IX and Civil Rights compliance (T9-CRC) receives notice of a complaint. The T9-CRC will ensure that the proceedings will be conducted in a prompt, fair and impartial manner. The proceedings will be completed within a reasonably prompt timeframe which allows for the extension of the timeframe for good cause with written notice of the delay and the reasons for the delay. The proceedings will be conducted in a manner that is consistent with these policies and is transparent to the complainant and the respondent, includes timely notice of meetings, and provides timely and equal access to all parties to any information that will

be used during the disciplinary process. The proceedings will also be conducted by officials who do not have a conflict of interest or bias with the parties involved.

How to File a Complaint

If you would like to formally report an incident of harassment, discrimination, sexual/relationship misconduct and/or stalking to the University, the Title IX Coordinator and Executive Director of the Office of Title IX and Civil Rights Compliance (T9-CRC) oversees and responds to all reports of this type at Creighton University. Regardless of when or where the incident occurred, Any person may report to the Title IX Coordinator using any of the following options:

- Report to T9-CRC or an official with authority. Such a report may be made at any time (including during non-business hours) by using the telephone number, email address, office mailing address listed for the Title IX Coordinator here:
Allison Taylor, MSEd
Title IX Coordinator and Executive Director,
Office of Title IX and Civil Rights Compliance
2500 California Plaza, Creighton Hall, Ste. 340
Omaha, NE 68178
402.280.4120 | AllisonTaylor@creighton.edu
creighton.edu/titleix
- Report Sexual Harassment online, using the reporting form posted at creighton.edu/titleix or creighton.edu/safety/tell-someone. Anonymous reports are accepted but can give rise to a need to investigate. Creighton University strives to provide supportive measures to all complainants, which is impossible with an anonymous report.
- Report using the external Ethicspoint reporting hotline and/or webform at 855.256.0478 or secure.ethicspoint.com/domain/media/en/gui/43718/

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

The University will act on any report of these policy violations that

are received by T9-CRC or any other official with authority by applying the proper procedure.

Upon receipt of a report to T9-CRC or official with authority of an alleged violation of these policies, T9-CRC will initiate a prompt initial assessment to determine the next steps which must be taken, including offering supportive measures and determining what process(es) may apply.

Initial Assessment

Following the receipt of a report of an alleged violation of these policies, the Title IX Coordinator, or a trained designee, will engage in an initial assessment to determine:

- Whether the conduct, as reported, falls or could fall within the scope of the policy in question, and
- Whether the conduct, as reported, constitutes or could constitute a violation of the policy.

If the Title IX Coordinator determines that the conduct reported falls within the scope of the Title IX Sexual Harassment policy, the Title IX Coordinator will proceed to contact the complainant and proceed with Title IX disciplinary procedures.

If it is determined that the conduct does not fall within the scope of this policy, the Title IX Coordinator may close the matter or refer to Creighton's Non-Discrimination Policy.

Non-Title IX Related Offenses

If a student or employee is accused of an act of sexual harassment that is not covered by the regulations of the Title IX Sexual Harassment Policy, or if the act occurred outside the geographic boundaries of the United States, Creighton University will utilize its Non-Discrimination Policy to govern the disciplinary process. For disciplinary procedures related to Non-Title IX offenses, see pages 38-40

Title IX Sexual Harassment Policy: Disciplinary Process

Contacting the Complainant

If a report is not closed as a result of the initial assessment, and the complainant's identity is known, the Title IX Coordinator will promptly contact the complainant to discuss the process for filing and pursuing a Formal Complaint. The complainant will be provided with a copy of the Creighton University Office of Title IX and Civil Rights Compliance Resource Guide. This guide will provide the complainant with information about options for filing complaints with the local law enforcement agency, possible protective measures, availability of resources within or outside of Creighton, your rights and options, and University disciplinary procedures. See page 31 for more information about the Title IX Resource Guide.

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

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

Notice of Investigation

After receiving a Formal Complaint alleging conduct that,

if proven, would constitute a violation of this policy, the Title IX Coordinator will issue a written Notice of Investigation to both the complainant and respondent. The complainant will be given advance notice of when the Notice will be delivered to the respondent.

Counter Claims and Retaliation

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

Advisor of Choice

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

Investigation

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

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

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

All members of the Creighton community are encouraged and expected to fully cooperate with any investigation and resolution under this policy. Faculty and staff who fail to cooperate and/or participate will face discipline, up to and including termination. In

the event a complainant refuses to participate in an investigation, the University may proceed as a reporting party. If a respondent refuses to participate, the investigation will be completed despite the respondent's lack of participation and will be forwarded to the Hearing Board for a determination of responsibility. All parties and witnesses in the investigation are expected to provide complete and truthful information.

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

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

Investigation Report

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

Selecting an Adjudication Process

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

Informal Resolution

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

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

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

records that will be generated, maintained and/or shared.

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

If a resolution is not reached within this time frame, a formal resolution will commence.

Formal Resolution

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

Formal Resolution Process (FRP) Team

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

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

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

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

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

- The scope of Creighton's Title IX Sexual Harassment Policy and Procedures
- Understanding the crimes of domestic/dating violence, sexual assault and stalking
- How to conduct investigations and hearings that protect the safety of complainants, respondents, and witnesses and promote accountability
- Implicit bias
- Disparate treatment and impact
- Reporting, confidentiality and privacy requirements
- Applicable laws, regulations, and federal regulatory

guidance

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

Specific training is also provided for appeal officers, advisors (who are Creighton employees) and chairs. All team members are required to attend these trainings annually. The materials used to train all members of the team are posted on the T9-CRC website at creighton.edu/titleIX.

Pre-Hearing

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

Notice of Hearing: Upon receipt of the investigative report, the involved parties will also receive a notice of hearing. This notice provides information about the hearing process and requests or needs of the involved parties. Parties may also request remote options if they are unable to appear in person.

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

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

Hearing

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

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

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

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

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

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

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

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

In the event any party or witness refuses to attend the hearing or attends but refuses to submit to questioning by the advisors of choice, the statements of that party or witness whether given during the investigation or during the hearing, will not be

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

Standard of Evidence

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

Deliberation and Decision-Making

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

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

Notice of Outcome

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

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

The Notice of Outcome will include the following:

- Identification of the allegations potentially constituting sexual

harassment made in the formal complaint

- A description of the procedural steps taken by the University upon receipt of the formal complaint
- Whether the complainant will receive any ongoing support measures or other remedies as determined by the Title IX Coordinator
- A statement regarding the rights of all parties to appeal, the process to initiate an appeal, and the grounds upon which an appeal will be considered
- Notice regarding when the results will be considered final

Appeals

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

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

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

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

No further review beyond the appeal is permitted.

Sanctions

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

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

- Level of risk or harm to the community
- The nature and seriousness of the offense
- The respondent's disciplinary history
- Any apparent pattern of conduct, including previous violations of this policy
- The motivation underlying the respondent's behavior

- Whether the respondent has accepted responsibility for the conduct
- The need for sanctions/responsive actions to bring an end to or prevent future occurrences of the discrimination, harassment and/or retaliation
- The need to remedy the effects of the discrimination, harassment and/or retaliation on the complainant and the community
- Cooperation with the investigation
- Any other mitigating, aggravating or compelling circumstances known to the Hearing Board at the time of decision

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

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

A full list of current sanctions is listed on pages 42-43.

Non-Title IX/Non-Discrimination Policy: Disciplinary Process 2020 Regulations

If a student or employee is accused of an act of sexual harassment that is not covered by the regulations of the Title IX Sexual Harassment Policy, or if the act occurred outside the geographic boundaries of the United States, Creighton University will utilize its Non-Discrimination Policy to govern the disciplinary process. The procedures, training, standards of proof, and sanctions directed by the Non-Discrimination Policy are the same as those described in this section under the Title IX Sexual Harassment Policy, with two exceptions: There will be no formal live hearing process, and the Executive Director, Office of Title IX and Civil Rights Compliance (Executive Director) will serve as the decision maker after consultation with appropriate University officials for all non-Title IX offenses.

Contacting the Complainant

If a report is not closed as a result of the initial assessment, and the complainant's identity is known, the Executive Director will promptly contact the complainant to discuss the process for filing and pursuing a Formal Complaint. The complainant will be provided with a copy of the Creighton University Office of Title IX and Civil Rights Compliance Resource Guide. This guide will provide the complainant with information about options for filing complaints with the local law enforcement agency, possible protective measures, availability of resources within or outside of Creighton, rights and options, and University disciplinary procedures. See page 31 for more information about the Title IX Resource Guide.

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

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

Notice of Investigation

After receiving a Formal Complaint alleging conduct that, if proven, would constitute a violation of the Non-Discrimination Policy, the Executive Director will issue a written Notice of Investigation to both the complainant and respondent. The complainant will be given advance notice of when the Notice will be delivered to the respondent.

Counter Claims and Retaliation

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

Advisor of Choice

From the point a Formal Complaint is made, and until an investigation, adjudication, and appeal are complete, the complainant and respondent have the right to consult with an advisor of their choice throughout the investigative process

and to be accompanied by that advisor to all meetings, interviews, and hearings that are part of the investigation, adjudication and appeal process. The role of the advisor is to provide support and assist the parties throughout the investigative process.

Investigation

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

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

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

All members of the Creighton community are encouraged and expected to fully cooperate with any investigation and resolution under this policy. Faculty and staff who fail to cooperate and/or participate will face discipline, up to and including termination. In the event a complainant refuses to participate in an investigation, the University may proceed as a reporting party. If a respondent refuses to participate, the investigation will be completed despite the respondent's lack of participation and will be forwarded to the Executive Director for a determination of responsibility. All parties and witnesses in the investigation are expected to provide complete and truthful information.

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

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

Investigation Report

After providing the complainant and respondent the opportunity to review the evidence gathered and to provide any written

response, the investigator(s) will complete a written investigation report that fairly summarizes the various steps taken during the investigation, and summarizes the relevant evidence collected. The investigator will transmit a copy to the Executive Director along with the evidence gathered. The investigator will also transmit the investigation report to each party and their advisor, in either electronic or hard copy form.

Selecting an Adjudication Process

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

Informal Resolution

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

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

- Describes the parameters and requirements of the informal resolution process to be utilized;
- Identifies the Executive Director as the facilitator of the informal resolution;
- Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a party's ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and
- Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained and/or shared.

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

Formal Resolution

The default process for adjudicating formal complaints is through Formal Resolution with the Executive Director. During this process, there are no live hearings, and the Executive Director will review all the evidence provided in Investigation Report. After reviewing the evidence and meeting with both parties, the Executive Director will serve as the decision maker after consultation with appropriate University officials for all non-Title IX offenses.

Standard of Evidence

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

Notice of Outcome

After making their decision, the Executive Director will provide a final determination letter to the complainant and respondent, within seven days. This letter will provide a statement of, and rationale for, each allegation that constitutes a separate potential incident, including a determination regarding responsibility for each separate potential incident; specify findings of fact that support the determination, conclusions regarding the application of the relevant policy to facts at issue; a statement of and rationale for the result of each allegation to the extent the University is permitted to share such information.

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

The Notice of Outcome will include the following:

- Identification of the allegations potentially constituting policy violations made in the formal complaint
- A description of the procedural steps taken by the University upon receipt of the formal complaint
- Whether the complainant will receive any ongoing support measures or other remedies as determined by the Executive Director
- A statement regarding the rights of all parties to appeal, the process to initiate an appeal, and the grounds upon which an appeal will be considered
- Notice regarding when the results will be considered final

Appeals

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

officer is the Provost or their designee. In cases where the responding party is a staff member, the appeal officer is the Executive Vice President or their designee.

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

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

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

No further review beyond the appeal is permitted.

Sanctions

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

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

- Level of risk or harm to the community
- The nature and seriousness of the offense
- The respondent's disciplinary history
- Any apparent pattern of conduct, including previous violations of this policy
- The motivation underlying the respondent's behavior
- Whether the respondent has accepted responsibility for the conduct

- The need for sanctions/responsive actions to bring an end to or prevent future occurrences of the discrimination, harassment and/or retaliation
- The need to remedy the effects of the discrimination, harassment and/or retaliation on the complainant and the community
- Cooperation with the investigation
- Any other mitigating, aggravating or compelling circumstances known to the Executive Director at the time of the decision

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

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

A full list of current sanctions is listed on pages 42-43.

Sanctions For Responding Party - Student

The following are sanctions that may be imposed upon students or organizations singly or in combination. The University is not prohibited from using a sanction not listed in this policy, and any new sanctions will be updated in the policy and added to future ASRs.

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

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

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

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

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

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

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

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

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

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

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

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

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

Sanctions For Responding Party - Faculty/Staff:

The following are sanctions that may be imposed upon faculty/staff members singly or in combination. The University is not prohibited from using a sanction not listed in this policy, and any new sanctions will be updated in the policy and added to future ASRs.

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

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

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

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

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

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

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

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

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

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

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

Withdrawal or Resignation While Charges are Pending

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

Confidentiality

Creighton University will make every effort to protect and preserve the identity of individuals involved in incident reports or formal complaints of harassment or retaliation, discrimination, and sexual and/or relationship misconduct and will not share the identity of any individuals, including complainants, respondents, or any witnesses. Likewise, Creighton will not share the identity of anyone who has reported any other Clery reportable offenses or other types of crimes. Public Safety and T9-CRC will maintain the personal identifying information of all involved individuals and will only share this information with persons with a need-to-know, in order to investigate and respond to a report, or to deliver resources or protective measures.

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

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

Any type of sexual harassment or other crime report, that must be disclosed as a Clery crime statistic or made available to the public, will be made without including personally identifying information of the complainant, respondent, or witness. Creighton University reserves the right to designate which University officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to FERPA.

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

Disclosure of Results of Disciplinary Proceedings

If a person is the victim of a crime of violence or a non-forcible sex offense, the Title IX Coordinator will, upon written request, disclose the results of any disciplinary proceeding conducted by T9-CRC against a student who is the alleged perpetrator of the offense. If the victim is deceased as a result of the offense, the next of kin shall be treated as the victim and provided with the disclosure.

SEX DISCRIMINATION OR SEX-BASED HARASSMENT DISCIPLINARY PROCESS: 2024 Regulations

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

**Sex discrimination includes adverse treatment sex discrimination and policy or practice sex discrimination, and sex-based harassment includes quid pro quo harassment, hostile environment harassment, sexual assault, sexual exploitation, domestic violence, dating violence, and stalking.*

Complaint Process Overview

Creighton University recognizes the importance of prompt, fair and impartial procedures for all members of the community involved in this process. Truth, integrity, and credibility are critical and distinctive principles of the University. Caring for the individual person can mean holding them accountable for their actions if those actions are a violation of University's Title IX Sex Discrimination and Sex-Based Harassment Policy. Adherence to these procedures is essential for the efficient progress and for the preservation of the trust of the community.

Creighton University will investigate all reported incidents of sex discrimination and sex-based harassment after the Office of Title IX and Civil Rights compliance (T9-CRC) receives notice of a complaint. The T9-CRC will ensure that the proceedings will be conducted in a prompt, fair and impartial manner. The proceedings will be completed within a reasonably prompt time frame which allows for the extension of the time frame for good cause with written notice of the delay and the reasons for the delay. The proceedings will be conducted in a manner that is consistent with these policies and is transparent to the complainant and the respondent, includes timely notice of meetings, and provides timely and equal access to all parties to any information that will be used during the disciplinary process. The proceedings will also be conducted by officials who do not have a conflict of interest or bias with the parties involved.

REPORTING SEX DISCRIMINATION OR SEX-BASED HARASSMENT

Any person may report sex discrimination or sex-based harassment to the Title IX Coordinator in the Office of Title IX and Civil Rights Compliance. Reports may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's report. Reports can be made during normal business hours in-person or any time by regular mail, telephone, electronic mail, or online.

Regardless of when or where the incident occurred, reports to the Title IX Coordinator can be made using the following options:

- Report to the Title IX Coordinator or other University

employee. Such a report may be made by using the telephone number, email address, or office address listed for the Title IX Coordinator:

Allison Taylor, MEd
Title IX Coordinator and Executive Director
Office of Title IX and Civil Rights Compliance
Creighton Hall, Ste. 340, 2500 California Plaza
Omaha, NE 68178 | 402.280.4120
AllisonTaylor@creighton.edu | creighton.edu/titleix

- Report online, using the reporting form posted at creighton.edu/titleix or creighton.edu/safety/tell-someone. Anonymous reports are accepted but can give rise to a need to investigate. Creighton University strives to provide supportive measures to all complainants, which is impossible with an anonymous report.
- Report using the external Ethicspoint reporting hotline and/or webform at 855.256.0478 or secure.ethicspoint.com/domain/media/en/gui/43718/

All University employees, who are not designated as confidential employees, are required to promptly report potential sex discrimination or sex-based harassment in the University's education programs or activities to the Title IX Coordinator. Employees designated as confidential employees will provide information for the Title IX Coordinator and explain how the individual may make a complaint of sex discrimination and sex-base harassment directly to the Title IX Coordinator.

The University will act on any report of these policy violations that are received by the Title IX Coordinator or any other University official by applying the proper procedure. Upon receipt of a report of an alleged violation of these policies, the Title IX Coordinator will initiate a prompt preliminary assessment to determine the next steps which must be taken, including offering supportive measures and determining what process(es) may apply.

Preliminary Assessment

After receiving a report of potential sex-based harassment, the Title IX Coordinator will conduct a preliminary assessment to determine:

- Whether the conduct, as reported, falls, or may fall, within the scope of this policy, and
- Whether the conduct, as reported, constitutes, or may constitute, sex-based harassment.

If the Title IX Coordinator determines that the conduct reported does not and could not fall within the scope of the policy, and/or does not and could not constitute sex-based harassment, the Title IX Coordinator will close the matter or refer the report to other University offices, as appropriate.

If the Title IX Coordinator determines that the conduct reported could fall within the scope of this policy, and/or could constitute sex-based harassment, the Title IX Coordinator will proceed to contact the complainant.

As part of the preliminary assessment, the Title IX Coordinator may take investigative steps to determine the identity of the complainant, if it is not apparent from the report.

Contacting the Complainant and Respondent

If a report is not closed as a result of the preliminary assessment

and the complainant's identity is known, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures; to discuss and consider the complainant's wishes with respect to supportive measures; to inform the complainant about the availability of supportive measures with or without making a complaint; to explain the process for making a complaint; and to advise the complainant of the investigation and adjudication procedures set forth in this policy. The complainant will also be provided with a copy of the Creighton University Office of Title IX and Civil Rights Resource Guide. This guide will provide options for filing complaints with local law enforcement, supportive measures, information about resources that are available on campus and in the community, rights and options, and University disciplinary procedures.

Contemporaneously with the respondent being notified, the Associate Director or their designee will also notify the respondent of the availability of supportive measures for them, and the University will offer and make available supportive measures to the respondent in the same manner in which it offers and makes them available to the complainant. The University will also offer and make available supportive measures to the respondent prior to the respondent being notified of a complaint if the respondent requests such measures.

Supportive measures are confidential and will not be disclosed to persons other than the party to whom the supportive measure pertains unless wider disclosure is necessary to provide the supportive measure. The University may inform a party of supportive measures provided to or imposed on the other party only if necessary to restore or preserve that party's access to the University's education programs or activities.

Either party may request that the Associate Director or designee modify, augment, or terminate supportive measures, after their imposition, if circumstances have changed materially.

If a party is affected by the Associate Director's decision to provide, deny, modify, augment, or terminate supportive measures, and wishes to seek a modification or reversal of the decision, the party may appeal the matter to the University's Title IX Coordinator. Such an appeal must be made in writing within seven (7) days of the date the party is notified; however, the Title IX Coordinator may hear appeals made outside the seven (7) day window for good cause shown. If the other party is affected by an appeal of supportive measures, they may submit a written response prior to deciding the appeal. The decision of the Title IX Coordinator is final and not subject to further review.

Interim Removal

At any time after receiving a report of sex discrimination or sex-based harassment, the Title IX Coordinator may remove a student respondent from one or more of the University's education programs or activities on a temporary basis if an individualized safety and risk analysis determines that an immediate threat to the health or safety of any student or other individual arising from the allegations of sex-based harassment justifies removal.

In the event the Title IX Coordinator imposes an interim removal, the party may appeal the matter to the Vice Provost for Student Life. Such an appeal must be made in writing within seven (7) days of the date the party is notified; however, the Vice Provost for Student Life may hear appeals made outside the seven (7) day window for good cause shown. If the other party is affected by an appeal of the interim removal, they may submit a written response prior to deciding the appeal. The decision of the Vice Provost for Student Life is final and not subject to further review.

In the case of a respondent who is a non-student employee, the University may place the respondent on full or partial administrative leave at any time after receiving a report of sex-based harassment, including during the pendency of the investigation and adjudication process.

For all other respondents, including volunteers, guests, and independent contractors, the University retains broad discretion to prohibit such persons from entering onto its campus and other properties at any time, and for any reason, whether after receiving a report or otherwise.

MAKING A FORMAL COMPLAINT

A person may make a complaint with the Title IX Coordinator any time after the alleged conduct; however, a significant passage of time between an incident and report may impact available options.

A person making a formal complaint must meet the definition of complainant; be a person who has the legal right to act on a complainant's behalf; or be the Title IX Coordinator.

The Title IX Coordinator will exercise the authority to make a complaint only after careful consideration of multiple factors that suggests there is an immediate and serious threat to the health or safety of the complainant or other person or where not making a complaint would prevent the University from maintaining a safe and non-discriminatory environment. If the Title IX Coordinator makes a complaint, the Title IX Coordinator will notify the complainant prior to doing so and appropriately address reasonable concerns about the complainant's safety or the safety of others and to offer supportive measures.

Once a complaint is made, the University will commence an investigation and proceed to adjudicate the matter. If no complaint is made, the Title IX Coordinator will still evaluate the need for and, if appropriate, implement other prompt and effective steps to ensure that sex-based harassment does not continue or recur in the University's education programs or activities and to remedy its effects, if any.

The University may consolidate complaints of alleged sex-based harassment involving multiple complainants or respondents when the allegations arise from the same facts and circumstances. Any complaints of retaliation may be consolidated with the original complaint.

Any time after a complaint is made, the Title IX Coordinator may dismiss the complaint. Upon dismissal, the Title IX Coordinator will promptly notify the complainant in writing. If a respondent has already been notified of the complaint, they will be simultaneously notified of the dismissal in writing. This written notice will also advise the parties of their right to appeal the dismissal.

If a complainant and respondent are still eligible for supportive measures, the Title IX coordinator will evaluate whether to take other prompt and effective steps to ensure that sex-based harassment does not continue in the University's education programs and activities.

Notice of Complaint

Within five (5) days of the Title IX Coordinator receiving a complaint, the Title IX Coordinator will transmit a written notice to the complainant and respondent that includes:

- A full copy of the Title IX Sex Discrimination and Sex-Based Harassment Policy in physical or electronic form.
- Sufficient information available at the time to allow the

parties to respond to the allegations.

- A statement that the respondent is presumed not responsible for the alleged sex-based harassment until an adjudication of responsibility is made final, and that the parties will have an opportunity to present relevant evidence.
- A statement that the party will receive access to relevant evidence and to an investigative report that accurately summarizes the evidence.
- Notification to the complainant and respondent of the University's prohibitions on retaliation and false statements.
- A statement that the party may be accompanied by an advisor of their choice, who may be an attorney.
- Information about resources that are available on campus and in the community.
- Supportive Measures currently in place, if applicable, and the availability of Supportive Measures through the Title IX Office.
- Information regarding the privacy of the Title IX process.
- Details on how to request disability accommodations during the interview process.
- A link to the University Title IX Resource Guide
- An instruction to preserve any evidence that is directly related to the allegations.

If there are legitimate concerns for the safety of any person, then providing the written notice of complaint may be reasonably delayed to address the safety concerns appropriately. In any event, the written notice of complaint will be provided to a party sufficiently in advance of their initial investigative interview, giving the party sufficient time to prepare.

Should the University elect, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the University will provide a supplemental written notice describing the additional allegations to be investigated.

False Information and Retaliation

It is a violation of this policy for any person to submit, or aid another to submit, a report or complaint that the person knows to be false or frivolous. It is also a violation of this policy for any person to knowingly make, or aid another to make, a materially false statement during the course of an investigation, adjudication, or appeal. Violations of this section are not subject to the investigation and adjudication processes in this policy; instead, they will be addressed under the Student Standards of Conduct in the case of students and other University policies and handbooks, as applicable, for other persons.

It is also a violation of this policy to engage in retaliation. Reports and complaints of retaliation may be made in the same manner as reporting a complaint of sex discrimination and sex-based harassment. Any report or complaint of retaliation will be processed under this policy in the same manner as a report or complaint of sex discrimination and sex-based harassment. Creighton retains discretion to consolidate a complaint of retaliation with a complaint of sex discrimination and sex-based harassment for investigation and/or adjudication purposes if the two complaints share a common nexus.

Informal Resolution

At any time after the parties are provided written notice of the complaint and before the completion of any appeal, the parties may voluntarily consent, with the Title IX Coordinator's approval,

to engage in mediation, facilitated resolution, or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the complaint by agreement of the parties. The Title IX Coordinator may reject the use of informal resolution in a specific case despite one or more of the parties' wishes. Informal resolution will not be permitted in any case where informal resolution would otherwise conflict with federal, state, or local law.

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

- Describes the parameters and requirements of the informal resolution process to be utilized.
- Identifies the individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another University official, or a suitable third-party, provided such person is not the investigator(s) or adjudicator).
- Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a party's ability to resume the investigation and adjudication of the allegations at issue in the complaint.
- Explains that either party has the right to withdraw from informal resolution and initiate or resume the investigation and adjudication process.
- Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.
- Explains potential terms that may be requested or offered in the informal resolution, including restrictions on contact and restrictions on the respondent's participation in one or more of the University's education programs or activities.
- Explains that an informal resolution agreement is binding only on the parties.
- Describes which records will be maintained and shared.
- Explains if the University resumes its investigation and adjudication process, the University will not access, consider, disclose, or otherwise use information, including records, obtained solely through the informal resolution process as part of the investigation or determination of the complaint.
- Explains that, if the University resumes its investigation and adjudication process, the person facilitating informal resolution could serve as a witness for purposes other than providing information obtained solely through the informal resolution process.

After receiving the written notice, each party must voluntarily provide written consent to the Title IX Coordinator before the informal resolution may commence. During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur may be stayed and all related deadlines may be suspended at the discretion of the Title IX Coordinator. A party may withdraw their consent to participate in informal resolution at any time before a resolution has been finalized.

If the parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both

parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by the University.

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within 21 days. If an informal resolution process does not result in a resolution within 21 days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the complaint will be resolved pursuant to the investigation and adjudication procedures. The Title IX Coordinator may adjust any time periods or deadlines in the investigation and/or adjudication process that were suspended due to the informal resolution.

Nothing in this section diminishes the Title IX Coordinator's obligation to take prompt and effective steps when necessary to ensure that sex discrimination or sex-based harassment does not continue or recur within the University's education programs or activities.

FORMAL RESOLUTION

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

Title IX Advisors and Hearing Board Members

Title IX advisors and hearing board members, consisting of faculty and staff members, is responsible for carrying out the adjudication process.

These members are trained annually, and can serve in the following roles at the direction of the Title IX Coordinator:

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

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

The Title IX Coordinator, members of the Title IX staff, advisors, and hearing board members receive annual training which includes:

- The scope of Creighton's Sex Discrimination and Sex-Based Harassment policy.
- Understanding the crimes of domestic/dating violence, sexual assault and stalking
- How to conduct investigations and hearings that protect the safety of complainants, respondents, and witnesses and promote accountability
- Implicit bias

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

Specific training is also provided for appeal officers, advisors (who are Creighton employees), and chairs. All team members are required to attend these trainings annually. The materials used to train all members of the team are posted on the T9-CRC website at creighton.edu/titleIX

Advisor of Choice and Other Accompanying Persons

From the point a complaint is made, and until an investigation, adjudication, and appeal are complete, the complainant and respondent have the right to be accompanied by an advisor of their choice to all meetings, interviews, and hearings that are part of the investigation, adjudication, and appeal process. The advisor may be, but is not required to be, an attorney. The advisor will play a passive role and is not permitted to communicate on behalf of a party, insist that communication flow through the advisor, or communicate with the University about the matter without the party being included in the communication. In the event a party's advisor of choice engages in material violations of the policy, the University may preclude the advisor from further participation, in which case the party may select a new advisor of their choice.

In the event a party is not able to secure an advisor to attend the hearing, the University may provide the party with an advisor, without fee or charge, who will support the party during the hearing. The University will have sole discretion to select the advisor it provides, and may be, but is not required to be, an attorney. The University may prohibit its employees from serving as advisors where such service would interfere with the employee's work or other obligations to the University or where such employee's service would create a conflict of interest.

As a general matter, the advisor described in this section is the only person who may accompany a party to meetings, interviews, and hearings. To the extent the University deviates from this rule and allows a party to be accompanied by one or more persons in addition to an advisor, the same right shall be extended to the other party.

Investigation

After the written notice of a complaint is transmitted to the parties, investigator(s) selected by the Title IX Coordinator will undertake an investigation to gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence. The burden of gathering evidence sufficient to reach a determination in the adjudication lies with the University and not

with the involved parties. Although the length of each investigation may vary depending on the totality of the circumstances, the University strives to complete each investigation within 45 – 60 days of the transmittal of the written notice of the complaint.

During the investigation, the investigator will provide advance written notice to an involved party of the date, time, location, participants, and purpose of all meetings and investigative interviews pertaining to that party, with sufficient time for the party to prepare to participate. The investigator will provide an equal opportunity for the parties to be interviewed, to identify witnesses and to present other inculpatory and exculpatory evidence.

The investigator retains discretion to limit the number of witness interviews if the investigator finds that testimony would be unreasonably cumulative, if the witnesses are offered solely as character references and do not have information relevant to the allegations at issue, or if the witnesses are offered to render testimony that is categorically inadmissible. The investigator will not restrict the ability of the parties to gather and present relevant evidence on their own.

The investigation is a party's opportunity to present testimonial and other evidence that the party believes is relevant to the allegations in the complaint. A party who is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence during the adjudication absent a showing of mistake, inadvertence, surprise, or excusable neglect.

The investigator(s) will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the investigator's notes, audio recorded, video recorded, or transcribed. The particular method utilized to record the interviews of parties and witnesses will be determined by the investigator(s) in their sole discretion, although whatever method is chosen shall be used consistently throughout a particular investigation, to the extent possible.

ADJUDICATION PROCESS FOR SEX-BASED HARASSMENT

Preparation of the Investigation Report, Appointment of the Adjudicator, and Notification to the Parties

After the evidence gathering phase of the investigation is completed, the investigator(s) will prepare a written investigation report that summarizes the investigation and appends to it all the potentially admissible evidence that is relevant to the allegations in the complaint. The investigator(s) will then notify the Title IX Coordinator that the investigation is complete and transmit the investigation report and its appended evidence to the Title IX Coordinator and the involved parties and their advisors.

The Title IX Coordinator will then appoint a Hearing Board, a three-member panel, acting as decision makers and assigned by the Title IX Coordinator, whose responsibility will be to adjudicate the complaint at a live hearing. Within 3 days of being notified about the identity of the Hearing Board members, either party may raise concerns, if any, about bias or conflicts of interest to the Title IX Coordinator. The investigation report and its appended evidence will be transmitted to the hearing board.

The Title IX Coordinator will promptly send written notice to the parties notifying them of the Hearing Board members' appointment, including a copy of the hearing procedures, setting

a date for a pre-hearing conference which shall not be sooner than 7 days from the date the investigator(s) transmitted the investigation report. The notice will direct the parties to submit a pre-hearing submission at least 3 days before the date of the pre-hearing conference; and setting a date for the hearing, which shall be at least 3 days after the pre-hearing conference.

If a party does not have an advisor who will accompany them at the hearing, the party should notify the Title IX Coordinator upon receipt of the written notice so that the University can provide an advisor to attend the pre-hearing conference and the hearing.

Pre-Hearing

Pre-Hearing Submission: No later than 3 days before the date of the pre-hearing conference, each party will submit to the adjudicator a written pre-hearing submission that addresses:

- Any concerns about evidence.
- A list of witnesses both affiliated and non-affiliated with the University.
- A list of questions the party seeks to pose to the other party or witnesses.
- Any accommodations.
- The name and contact information of the party's advisor of choice.

Pre-Hearing Conference: After a review of pre-hearing submissions, the Title IX Coordinator and the Hearing Board Chair may conduct a pre-hearing conference that addresses:

- Hearing procedures.
- Address matters submitted with pre-hearing submissions.
- Discuss stipulations that may expedite the hearing.
- Discuss the witnesses chosen.
- Discuss questions the parties wish to pose.
- Resolve any other matters.

Issuance of Notice of Attendance: After the pre-hearing conference, the Title IX Coordinator will transmit a notice of attendance to all those who have been requested as witnesses. The University can compel all Creighton affiliated witness to attend the hearing; however, the University cannot compel any non-affiliated witnesses to attend the hearing.

Hearing

After the pre-hearing conference, the Hearing Board will convene and conduct a hearing. Pursuant to the University's hearing procedures, the hearing will be held simultaneously with the parties and their advisors. By default, the hearing will be conducted virtually, by use of video and audio technology. At the Hearing Board Chair's discretion, the hearing may be conducted with all parties in the same physical location. However, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously by video and audio. The hearing will be video and audio recorded. The audio recording or a transcript of the recording will be made available to the parties for inspection and review upon reasonable notice, including for use in preparing any subsequent appeal.

While the hearing procedures and rulings from the Hearing Board Chair will govern the particulars of the hearing, each hearing will include, at a minimum:

- Opportunity for each party to provide an opening statement to the Hearing Board.

- Opportunity for each party to respond to questions posed by the Hearing Board.
- Opportunity for each party's questions to be asked directly by the Hearing Board Chair.
- Opportunity for each party to submit any follow-up questions to be asked directly by the Hearing Board Chair.
- Opportunity for each party to submit evidence that the party did not present during the investigation due to mistake, inadvertence, surprise, or excusable neglect.
- Opportunity for each party to make a brief closing statement.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply. The Hearing Board Chair will have discretion to modify the hearing procedures when good cause exists, provided the minimal requirements are met.

The Hearing Board Chair will independently screen questions to ensure they are clear, relevant, and not harassing. If a question has been screened out, the party is allowed to clarify or revise their question, and if the party sufficiently clarifies or revises the question, the question will be permitted and asked by the Hearing Board Chair. The Hearing Board Chair will explain the rationale for any evidentiary rulings, including any decision that a question or evidence is not relevant.

Except as otherwise permitted by the Hearing Board Chair, the hearing will be closed to all persons except the parties, their advisors, the investigator(s), the hearing board members, the Title IX Coordinator, and other necessary University personnel. Witnesses will be sequestered until such time as their testimony is complete.

During the hearing, the parties and their advisors will have access to the investigation report and evidence that was appended to it. A party has the right to attend and participate in the hearing with an advisor; however, if a party and/or advisor repeatedly violate the rules, they may be barred and/or limited in their participation of the hearing.

Deliberation and Written Decision

After the hearing is complete, the hearing board will objectively evaluate all relevant evidence collected during the investigation and received at the hearing. The hearing board will take care to exclude from consideration any evidence that was ruled inadmissible.

The Hearing Board will resolve disputed facts using a preponderance of the evidence (that is, "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the complaint.

If the hearing board determines that the respondent is responsible for violating the policy, and prior to issuing a written decision, the hearing board may consult with an appropriate University official with disciplinary authority over the respondent, and such official may assist in determining any discipline to be imposed. The hearing board will also consult with the Title IX Coordinator who will determine whether, and to what extent, ongoing support measures or other remedies will be provided to the complainant and other persons, as appropriate.

After reaching a determination and consulting with the appropriate University official and Title IX Coordinator, the hearing board will prepare a written decision that will include:

- A description of the alleged sex-based harassment.

- Information about the policies and procedures the University used to evaluate the allegations.
- The Hearing Board's evaluation of all relevant evidence and determination of whether sex-based harassment occurred.
- Sanctions determined by the hearing board, with consultation from an appropriate University official, as needed.
- Whether the complainant, respondent, or other persons, will receive any ongoing supportive measures or other remedies as determined by the Title IX Coordinator.
- A description of the University's process and grounds for appeal.

The hearing board's written determination will be transmitted to the parties simultaneously. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal.

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the University strives to issue the hearing board's written determination within 14 days of the conclusion of the hearing.

Sanctions

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

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

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

A full list of current sanctions is listed on pages 42-43

Appeal

Either party may appeal the written decision of the hearing board, or a dismissal of a complaint, on one or more of the following grounds:

- A procedural irregularity that would change the determination of whether a policy violation occurred.
- There is new evidence that would change the outcome of the matter that was not reasonably available at the time the determination.
- The Title IX Coordinator, investigator, or a hearing board member had a conflict of interest or bias for or against the involved parties that would change the outcome.

No other grounds for appeal are permitted.

A party must file a written appeal with the appeal officer within 7 days of the date they receive notice of the written decision or dismissal, or if the other party appeals, within 3 days of receiving notice that the other party has appealed, whichever is later. The

appeal must specifically identify the written decision and/or dismissal to be appealed, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks. In cases where the responding party is a student or faculty member, the appeal officer is the Provost or their designee. In cases where the responding party is a non-faculty employee, the appeal officer is the Executive Vice President or their designee.

Promptly upon receipt of an appeal, the appeal officer will conduct an evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the Appeal Officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other party that an appeal has been filed and that the other party may submit a written opposition to the appeal within 7 days. Upon receipt of any opposition or at the conclusion of the 7-day period, the appeal officer shall promptly obtain from the Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal. Once these records have been obtained, the appeal officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale.

The determination of a complaint, including any sanction, becomes final when the time for appeal has passed with no party filing an appeal, or when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a final written decision to both parties simultaneously.

Although the length of each appeal will vary depending on the totality of the circumstances, the University strives to issue the appeal officer's written decision within 21 days of an appeal being filed.

No further review beyond the appeal is permitted.

Confidentiality

Creighton University will keep confidential the identity of any individual who has made a report or complaint of sex-based harassment or retaliation. This includes the identity of any complainant, perpetrator, respondent, and any witness or other participant in the University's investigation and adjudication processes except:

- When the individual has provided prior written consent to disclose their identity,
- When disclosure is permitted by FERPA or its implementing regulations,
- As otherwise required by applicable federal, state, or local law,
- As required by federal regulations or the terms and conditions of a federal award, including a grant award or other funding agreement, or
- As necessary to carry out the purposes of Title IX and its implementing regulations, including the requirement to take action to address potential sex-based harassment under the University's education programs or activities.

Creighton will also maintain the confidentiality of its various records generated in response to reports and complaints,

including information concerning supportive measures, notices, investigation materials, adjudication records, and appeal records. Notwithstanding the foregoing, Creighton may disclose any record if permitted by FERPA or its implementing regulations, as otherwise required by applicable federal, state, or local law, or as necessary to carry out the purposes of Title IX and its implementing regulations, including the requirement to address potential Sex Discrimination under the University's education programs or activities.

The parties to a complaint will be given access to investigation and adjudication materials in the circumstances specified in this policy. Such investigation and adjudication materials, including the investigation report and appended evidence, and the written decision, are for the sole use of the party and their advisor in the proceedings; such materials may not be disseminated to third parties or otherwise published. If a party violates the confidentiality rules governing investigation and adjudication materials, the party is subject to disciplinary action under the Student Standards of Conduct in the case of a student, and other Creighton policies and handbooks, as applicable, for other persons.

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

Certain types of sex-based harassment and certain crimes are considered "Clery Crimes" for which Creighton must disclose crime statistics in its Annual Security Report that is provided to the campus community and available to the public. These disclosures will be made without including personally identifying information. Creighton University reserves the right to designate which University officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to FERPA.

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

Withdrawal or Resignation While Charges are Pending

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

Disclosure of Results of Disciplinary Proceedings

If a person is the victim of a crime of violence or a non-forcible sex offense, the Title IX Coordinator will, upon written request, disclose the results of any disciplinary proceeding conducted by T9-CRC against a student who is the alleged perpetrator of the offense. If the victim is deceased as a result of the offense, the next of kin shall be treated as the victim and provided with the disclosure.



Alcohol and Other Drugs

Drug-Free Schools and Communities Act

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

Alcohol Abuse Prevention and Awareness

Alcohol and the Creighton Student

Creighton University recognizes that alcohol is a major influence on today's college campus, and that it has a responsibility to educate students and their families on university expectations regarding alcohol. Furthermore, Creighton recognizes that it must go beyond simply informing students and their families about the legal consequences resulting from alcohol use. Creighton's response must also address the social realities of our students while continuing to promote and educate students about the benefits of living a healthy lifestyle. The following details Creighton's approach to alcohol education, the effects of alcohol on the human body, and the University's alcohol policies.

Creighton's Approach to Alcohol Education

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

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

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

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

Many college alcohol problems are related to binge drinking. Binge drinking is a pattern of drinking that brings blood alcohol concentration (BAC) levels to 0.08 g/dL. This typically occurs after four drinks for women and five drinks for men, in about two hours. Drinking this way can pose serious health and safety risks including car crashes, drunk-driving arrests, sexual assaults and injuries. Over the long term, frequent binge drinking can damage the liver and other organs.

Source: niaaa.nih.gov/alcohol-health

Alcohol and the Body

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

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

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

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

Track to Recovery from Alcohol Abuse at Creighton (TRAAC) – Omaha Campus

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

TRAAC standard procedures:

- A student is identified as potentially being intoxicated by demonstrating one or more of the following: impaired judgment, impaired reactions, decreased coordination, or unresponsiveness.
- An assessment by Student Health Services (SHS) and field sobriety tests by the Department of Public Safety (DPS) are administered. The student is transported by DPS to UCED if determined appropriate by the SHS assessment.
- A student with a blood alcohol content (BAC) equal to or above 0.15 will be transported to the UCED.
- A student with a BAC below the 0.15 threshold may also be transported to the UCED because of other medical findings.

- Parents are notified.
- Student is seen in the UCED to determine if further medical care is needed.
- If requested, DPS will transport the discharged student from the UCED to his or her residence hall at Creighton University. DPS will not transport the student to any other location.
- If the student fails to comply with the TRAAC standard protocol the student may be immediately suspended or expelled from the University.
- The incident is documented and referred for a Community Standards meeting (non-academic misconduct), which normally results in a student status of disciplinary probation with a \$100 alcohol intoxication fine and additional educational sanctions.

Alcohol Intervention Education

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

Good Samaritan Provision

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

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

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

1. The help-seeker will be documented and titled with the term "help-seeker" next to his or her name in the report (as reported by the RA, RD, DPS or other University officials whom the help-seeker sought out).
2. The help-seeker will meet with Office of Community Standards and Student Conduct to discuss the situation that occurred. At this point, the CSSC staff member will determine the severity of the incident that took place. In most cases the help-seeker will not be held responsible, however, in the case of other policy violations (vandalism, sexual assault, violence, etc.) the student may be held to different standards and practices when outside the scope of this policy.

The risks of being a help-seeker include:

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

The risks of NOT being a help-seeker include:

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

Creighton University Alcohol Policy

Creighton University prohibits students and employees of any age from unlawfully purchasing, manufacturing, possessing, consuming, selling, or otherwise distributing or dispensing alcohol or other drugs in the workplace, on University property, or as part of any University sponsored event or activity. Any acts in violation of federal, state, or local laws shall be subject to disciplinary action or referral to law enforcement for arrest and prosecution.

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

Creighton University defines misuse or abuse of alcohol as: “Any alcohol or drug-related behavior that adversely affects or strains a person’s life, physical health, feelings of self-esteem, relationships, the campus community, or educational and occupational goals. Students and employees regardless of age are held accountable to this policy if they come to the attention of University officials.”

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

On-Campus Alcohol Use

Prior approval must be obtained from the Vice Provost for Student Life (or his/her designee) for any activity where alcohol is present. It will be necessary to complete and adhere to an alcohol contract obtainable from the Student Leadership and Involvement Center.

Any sponsoring organization or group that serves alcohol at its events must use trained servers from University Dining Service. Students must present a valid ID and their student ID.

Sponsoring organizations or groups assume responsibility for their social events. This responsibility includes ensuring that only those of legal drinking age possess and/or consume alcoholic beverages; refusing to serve people who appear, act or behave in an intoxicated manner; providing sufficient quantities of non-alcoholic beverages as dictated by the event and the crowd; and, finally, providing sufficient quantities of food throughout the event. In addition, the group has the responsibility of restricting alcohol to the designated area.

Advertisement for any event on campus shall be in good taste and conform to the posting policy. Those events involving alcohol shall conform to the “Creighton University Guidelines for Promotion of Events Where Alcohol Will Be Served.”

Public advertising or open access to social events where alcoholic beverages are being served are not in the best interest of the sponsoring group or Creighton University. Therefore, any event open to the general public will not be given permission to serve alcohol.

For those on-campus social events where students are present and alcoholic beverages are being served, Public Safety personnel shall be notified of the event by the sponsoring group or organization to determine whether an officer should be present. The sponsoring group is responsible for any expenses that might result.

Alcohol of any kind may not be used in any of the residence halls except Opus Hall. Residents of the Opus Hall apartments, of legal drinking age, may possess alcohol within the confines of their room or apartment, but may not use/consume it when minors are present.

Irresponsible Alcohol Use: Students living in the residence halls and student organizations shall not possess irresponsible amounts of alcohol, nor should they provide irresponsible amounts of alcohol to members, residents, or guests of legal drinking age. Alcohol is only to be used in a responsible manner by individuals over the age of 21. Large amounts of alcoholic beverages are prohibited in the residence halls and at events a reasonable outsider would associate with student organizations. This includes, but is not limited to kegs, handles of liquor and boxed wine(s), along with beer that contains 7% or more alcohol percentage by volume. Games, behaviors or devices that promote the rapid consumption of alcohol are similarly prohibited.

Consuming or possessing open containers of alcoholic beverages is prohibited in hallways, bathrooms, stairwells, general lounges, lobbies, study rooms and all public areas.

Off-Campus Alcohol Use

Student organizations holding off-campus events where alcohol is present are responsible for full compliance with the appropriate state law. In those rare cases where a student organization would fail to accept or assume responsibility, the officers of the organization will be held accountable for behavior of their members and their invited guests.

Fraternity/Sorority organizations governed by Interfraternity and Panhellenic Councils have implemented specific alcohol guidelines that must be adhered to by all fraternity and sorority organizations.

Guidelines for the Promotion of Events Where Alcohol Will be Served

Marketing programs specifically targeted for students on campus must conform to the Creighton University code of student conduct and must avoid demeaning sexual, racial or other discriminatory references.

Promotion materials must neither encourage any form of alcohol abuse nor make reference to the amount of alcoholic beverage (such as the number of beer kegs available or expressions like “all you can drink.”)

- Alcoholic beverages (such as kegs or cases of beer) must not be provided as free awards to individual students or campus organizations.
- No uncontrolled sampling as part of campus marketing programs shall be permitted and no sampling, or other promotional activities, shall include “drinking contests.”
- Where controlled sampling is allowed by law and institutional policy, it must be limited as to time and quantity. Principles of good hosting must be observed including availability of alternative beverages, food and planned programs. The consumption of alcohol must not be the sole purpose of any promotional activity.
- Promotional activities must not be associated with otherwise existing campus events or programs without the prior knowledge and consent of the Office of the Vice Provost of Student Life.
- Display or availability of promotional materials must follow the poster policy developed by Creighton University. All marketing programs must have educational value and subscribe to the philosophy of responsible and legal use of the products represented. All promotional materials will include the following language: “Alcohol will only be available to those of age and with proper photo identification.”
- Alcohol advertising on campus or in institutional media, including that which promotes events as well as product advertising, must not portray drinking as a solution to personal or academic problems of students or as necessary to social, sexual or academic success.
- Advertising and other promotional campus activities must not associate the consumption of alcohol with the performance of tasks that require skilled reactions such as the operation of motor vehicles or machinery.
- Local off-campus promotional activities, primarily directed to students, must be developed in cooperation with the Vice Provost for Student Life.

Additional Alcohol Policies

- For all University events at which alcohol is served, the host of the event (either Creighton or a faculty or staff member, as the case may be), must make available nonalcoholic beverages in addition to the alcoholic beverages. Creighton desires to encourage the responsible use of alcohol at all such events and making alternative beverages available supports this goal.
- For all University events at which alcohol is served, the person or persons serving the alcohol are required to make identification checks of any person who may be underage to prevent any underage drinking. Diligent checking of identification is Creighton’s only means of ensuring compliance with state law.
- The University strongly encourages all of its employees to use alcohol responsibly at all times, but particularly at University events because of the damage which may be done to Creighton’s reputation, and the poor example it sets for other employees and for students. Creighton desires to achieve a community where moderation, safety and individual accountability for those who choose to drink are the norm.

- It is the responsibility of individual supervisors to communicate this policy to their employees. In addition, supervisors may have to counsel employees whose behavior indicates a lack of awareness of this policy. If any employee of the University does not adhere to this policy because of irresponsible drinking or, if such a person acts as a host of an event and fails to demand identification of all persons who may possibly be underage, discipline action outlined in the Progressive Discipline Policy may be administered by the employee’s supervisor according to his/her discretion.

Violations

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

Violations of the Alcohol Policy will be referred to the Office of Community Standards and Student Conduct for the appropriate action.

Violations of the policy will be subject to the possibility of:

- suspension of the organization’s alcohol use privileges
- fines
- suspension of University approval for the sponsoring organization or group
- other University disciplinary action up to and including expulsion or termination

The University’s disposition of individual cases does not preclude the prosecution for alcohol related violations under local or state laws.

Drug Abuse Prevention and Awareness

Drug Use – Health Effects

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

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

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

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

Marijuana 101: Drug Use/Possession Course

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

Creighton University Illicit Drug Use Policy

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

The University policy concerning illegal drugs is as follows:

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

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

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

Misconduct resulting from the illegal possession, consumption, sale or transfer of drugs or narcotics renders the person subject to action ranging from rehabilitation, probation, dismissal from the residence halls, and up to and including suspension, expulsion or termination from the University.

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

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

Use and Possession of Mind-Altering Substances

It is a violation to use or possess mind altering substances that may be intended to create a hallucinogenic affect, as such substances represent a potential risk to the health and safety of students. Anyone found to use or possess hallucinogenic substances not otherwise covered by this policy will be reported and referred to the Office of Community Standards and Student Conduct for discipline.

Off-Campus Drug Use

Student organizations holding off-campus events are responsible for full compliance with the appropriate state law. If illegal drugs are present at the event, the organization will be referred to the appropriate hearing body for review of the reported violations of the Standards of Conduct and/or Student Organization Guidelines. Additionally, individual members, including the organization's officers, may be held accountable for their personal behavior as well as the behavior of their guests.

Violations

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

Violations of the Illegal Drug Policy will be referred to the Office of Community Standards and Student Conduct for the appropriate action.

Violations of the policy will be subject to the possibility of:

- fines
- suspension of University approval for the sponsoring organization or group
- other University disciplinary action up to and including expulsion or termination

The University's disposition of individual cases does not preclude the prosecution for illegal drug related violations under local or state laws.

Weapons Possession

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

On the Omaha campus, Public Safety maintains a locker for the safe storage of hunting equipment and legally owned firearms.

The possession of chemical sprays, such as pepper spray or mace, is authorized, but should only be used for self-defense.

Enforcement of Alcohol, Illicit Drug, and Weapons Law Violations

Arrests and Referrals for Disciplinary Action

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

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

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

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

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

Nebraska State Laws: Alcohol, Illicit Drugs and Weapons

Nebraska Alcohol

1. No one under the age of 21 may sell or dispense or have in his or her possession or physical control any alcoholic liquor in any tavern or in any other place including public streets, alleys, roads, highways, or inside any vehicle. This is a Class III misdemeanor. *§53-180.02*
2. No person may sell, give away, dispose of, exchange, or deliver, or permit the sale, gift, or procuring of any alcoholic liquors, to or for any person under the age of 21. This is a Class I misdemeanor. *§53-180*
 - a. Any person who knowingly and intentionally violates section 53-180 is guilty of a Class IIIA felony and will serve a mandatory minimum of at least thirty days' imprisonment if serious bodily injury or death to any person resulted and was proximately caused by a minor's (a) consumption of the alcoholic liquor provided or (b) impaired condition which, in whole or in part, can be attributed to the alcoholic liquor provided. *§53-180.05(2)*
3. No one under the age of 21 may obtain, or attempt to obtain, alcoholic liquor by misrepresentation of age, or by any other method, in any place where alcoholic liquor is sold. This is a Class III misdemeanor. *§53-180.01*
 - a. It is unlawful for any person to (a) display or have in their possession a fictitious or altered operator's license or state identification card, (b) lend their own operator's license or state identification card, or (c) to display or represent as one's own, any operator's license or state identification not issued to them. This is a Class III misdemeanor. *§60-491 (1-3)*
 - b. Any person who knowingly manufactures, creates, or alters any form of identification for the purpose of sale or delivery of such form of identification to a person under the age of 21 is guilty of a Class I misdemeanor. *§53-180.05 (6)*

Controlled Substances

1. It is unlawful for any person to knowingly or intentionally:
 - (a) To manufacture, distribute, deliver, dispense, or possess with intent to manufacture, distribute, deliver, or dispense a controlled substance; or (b) to create, distribute, or possess with intent to distribute a counterfeit controlled substance. *§28-416(1)*
2. Any person who violates paragraph (1) of this section with respect to (a) cocaine, (b) base cocaine (crack), (c) heroin, or (d) amphetamine or with respect to methamphetamine, in a quantity of: *§28-416(7-10)*
 - a. 140 grams or more is guilty of a Class 1B felony;
 - b. 28 grams – 140 grams is guilty of a Class 1C felony;
 - c. 10 grams – 28 grams is guilty of a Class 1D felony;
 - d. Any detectable amount – 10 grams is guilty of a Class II felony;
 - e. Simple possession (personal use) is guilty of a Class IV felony.
3. Any person who knowingly or intentionally possesses marijuana or its derivatives in the quantity of: *§28-416 (3)(11-13)*
 - a. Any amount of hashish oil or concentrated cannabis oil is guilty of a Class IV felony;
 - b. Marijuana more than 1 pound is guilty of a Class IV felony;
 - c. Marijuana more than 1 ounce, but not more than 1 pound is guilty of a Class III misdemeanor;
 - d. Marijuana 1 ounce or less is guilty of:
 - i. For the first offense, an infraction, receive a citation, be fined \$300, and may be assigned to a drug abuse course.
 - ii. For the second offense, a Class IV misdemeanor, receive a citation, and be fined \$400 and may be imprisoned not to exceed 5 days.
 - iii. For the third offense, a Class IIIA misdemeanor, receive a citation, be fined \$500, and be imprisoned not to exceed 7 days.

4. Any person who uses, or possesses with the intent to use, drug paraphernalia to introduce a controlled substance into the human body is guilty of an infraction. *§28-441*
5. Any person who is under the influence of any controlled substance, for a purpose other than the treatment of a sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings, is guilty of a Class III misdemeanor. *§28-417*
6. It is a Class IV felony to knowingly or intentionally: (a) acquire or attempt to acquire a controlled substance by theft, misrepresentation, fraud, forgery, deception, or subterfuge; (b) possess a false or forged prescription for a controlled substance; or (c) communicate information to a practitioner in an effort to unlawfully procure a controlled substance or a prescription for a controlled substance. *§28-418*

Good Samaritan of Nebraska Drug or Alcohol Overdose Law

Drug and alcohol overdose exception from criminal liability applies to any person who makes a request for emergency medical assistance and complies with the following requirements in the instance of an drug or alcohol overdose. A person will not be in violation of possession of a controlled substance or possession of alcohol by a minor if this person:

- (a) Made a good faith request for emergency medical assistance in response to the overdose of themselves or another, (b) as soon as the overdose was apparent, and (c) the evidence of possession was obtained as a result of this request. When assistance is requested for another person, the requesting person must remain at the scene until medical assistance arrives and cooperate with medical and/or law enforcement personnel. *§53-180.05(4) and §28-472*

Weapons

Anyone at least 21 years of age who can legally possess a firearm may legally carry a concealed handgun anywhere in the state of Nebraska with or without a permit unless prohibited by the establishment or state statute (see below).

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

School means a public, private, denominational, or parochial elementary, vocational, or secondary school; a private post-secondary career school; a community college; or a public or private college, junior college, or university.

Despite any provisions of Nebraska state law allowing the carrying of concealed weapons, possession of such weapons is strictly prohibited on Creighton's campus.

Nebraska §28-1201; §28-1202.01 and §28-1204.04

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

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

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

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

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



Alcohol, Drug and Weapons Arrests – Omaha Campus

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

Crime Category	Number of Arrests														
	On-Campus Student Housing			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Weapons Law Violations	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0
Drug Law Violations	2	3	5	1	3	0	3	6	5	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0

Alcohol, Drug and Weapons Disciplinary Referrals – Omaha Campus

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

Crime Category	Number of Referrals														
	On-Campus Student Housing			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	46	18	34	0	0	2	46	18	36	0	0	0	0	0	0
Liquor Law Violations	183	95	179	11	4	13	194	99	192	8	12	12	0	4	0

Annual Fire Safety Report

At Creighton University, the Division of Student Life houses approximately 2,300 students in its residence halls: Davis, Deglman, Graves, Heider, Kenefick, , McGloin, Opus, Swanson, *Kiewit***, and *selected units in the Atlas Apartments****. All residence halls have building fire alarm systems that report to a central alarm monitoring station in DPS. All fire extinguishers are located and spaced in accordance with fire code. Creighton has a collaborative working relationship with the Omaha Fire Department (OFD).

Creighton is a tobacco-free campus; smoking is prohibited in the residence halls or on any campus property. Because of the significant risk of fire and the inability to contain scents to a given room, anything with an open flame is prohibited in the residence halls and apartments. This includes but is not limited to cigars, cigarettes, pipes, lighters, live Christmas trees and wreaths, open-coiled appliances, halogen lamps, and flammable and/or excessively fragrant materials such as incense, potpourri pots, or candles (whether lit or unlit).

Fire Safety Education and Training Programs

Creighton promotes campus fire safety on an ongoing basis through safety education and training programs. Each year, resident advisors and resident directors receive general fire safety and fire extinguisher training. They are also given instructions on their roles and the procedures student residents should follow in case of a fire. Throughout the year, unannounced fire drills are conducted in the residence halls with the aid of OFD. When the alarm is activated, all occupants are required to exit the building and congregate at a point at least 100 feet from the building and are to remain there until OFD gives the “all clear.” During Fire Prevention Week, a variety of fire safety and evacuation information is available to students and employees through a social media campaign.

Procedures In Case of Fire

At the beginning of each semester, resident advisors explain emergency procedures and provide information to residents on the location of exit stairwells, fire extinguishers and alarm pull stations. Residents are directed to evacuate the residence hall any time the building fire alarm sounds. Students who are or become mobility impaired are asked to notify their resident director, so they can receive additional emergency procedure information and instructions. A list of mobility-impaired residents is kept at the front desk of each residence hall for use by emergency responders in the event of an evacuation.

Emergency preparedness resources for the campus are available on the Public Safety website at creighton.edu/public-safety/emergency-info. More fire safety information can be found in the Fire Safety Handbook at creighton.edu/firesafety.

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

- If flame or smoke is detected, activate a fire alarm pull station
- Evacuate the building
- Contact Public Safety at 402.280.2911 and provide all information requested

- If a student or employee finds evidence of a fire that is no longer actively burning or smoking, they should notify Public Safety, a resident advisor or resident director

Procedures for Student Housing Evacuation

During evacuation:

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

When evacuation is not possible:

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

Fire Log

Public Safety maintains a fire log combined with the daily crime log to record all fires reported in on-campus housing facilities. Information in the fire log includes the incident number, the nature of the fire, the date and time the fire occurred and was reported, and the general location of the fire. The fire log for the most recent 60-day period is available for public inspection in the Public Safety office during normal business hours. Any logs beyond 60 days will be made available for inspection in the Public Safety Office within two business days of a request. For purposes of the Higher Education Opportunity Act, a fire is defined as “any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.”

Future Fire Safety Initiatives

Creighton University continually strives to improve campus fire safety. All new building construction and renovations are completed in accordance with applicable fire codes. Opportunities for improvements in building fire alarm systems and fire safety improvements are routinely considered for existing structures. A newly constructed residence hall will include smoke and heat detectors, sprinkler system and a voice evacuation fire panel.

Fire Safety Prevention Information

	Number of Beds	Fire Alarm System	Make and Model	Sprinkler System Type	Number of Fire Drills (2023)
Davis Square 706 N. 20th St.	260	Gamewell FCI	E3 Series	Wet with backflow	3
Degelman Hall 2403 California St.	160	Advanced	Axis	Wet with backflow	3
<i>Graves Hall*</i> 2275 Burt St	416	<i>Advanced</i>	<i>Axis</i>	<i>Wet with backflow</i>	2
Heider Hall 302 N. 22nd St.	200	Gamewell FCI	7100 Series	Wet and dry with backflow	3
Kenefick Hall 320 N. 20th St	200	Gamewell FCI	7100 Series	Wet and dry with backflow	3
<i>Kiewit Hall**</i> 2615 California St.	486	IPF Series Intelligent Fire Control	AsBuilt	Wet with backflow	1
McGloin Hall 2208 California St	274	Advanced	Axis	Wet and dry with backflow	3
Opus Hall 615 N. 20th St.	283	Gamewell FCI	E3 Series	Wet with backflow	3
Swanson Hall 2500 Cass St	457	Advanced	Axis	Wet with backflow	3
Atlas Apartments*** 2929 California Plaza	26	Edwards	EST3	Wet with backflow	N/A

**Graves Hall is a newly built residence hall that opened for the Fall Semester in August 2023. No fire statistics or fire drill information is available prior to opening.*

***Kiewit Residence Hall was closed after the Spring Semester of 2023 and has been demolished. "On-campus housing" statistics and fire information will be included in this Annual Security and Fire Safety Report for the period until it was vacated.*

****For the 2024-2025 academic year, Creighton leased several apartment units at the Atlas Apartments to house students. No fire statistics will be included in the 2024 edition of the Annual Security Report. No evacuation drills will be conducted at this location.*

All residence halls have:

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

Student Housing Facilities Summary of Fire Statistics

2021						
Facility and Address	Total Fires	Fire Number	Cause	Injuries	Deaths	Value of Damage
Davis Square (706 N. 20th St.)	0	0	N/A	0	0	N/A
Deglman Hall (2403 California St.)	0	0	N/A	0	0	N/A
Gallagher Hall* (2619 California St.)	0	0	N/A	0	0	N/A
Heider Hall (302 N. 22nd St.)	0	0	N/A	0	0	N/A
Kenefick Hall (320 N. 20th St.)	1	1	Clothes Dryer	0	0	\$100 - \$999
Kiewit Hall (2615 California St.)	3	1, 2, 3	Hand Sanitizer Dispensers; Arson	0	0	\$10,000-\$24,999
McGloin Hall (2208 California St.)	0	0	N/A	0	0	N/A
Opus Hall (615 N. 20th St.)	0	0	N/A	0	0	N/A
Swanson Hall (2500 Cass St.)	0	0	N/A	0	0	N/A

**Gallagher Residence Hall was closed after the Spring Semester of 2021 and was demolished in June of 2022. No required "on-campus housing" statistics or fire information will be provided for any time after it was vacated.*

2022						
Facility and Address	Total Fires	Fire Number	Cause	Injuries	Deaths	Value of Damage
Davis Square (706 N. 20th St.)	0	0	N/A	0	0	N/A
Deglman Hall (2403 California St.)	0	0	N/A	0	0	N/A
Heider Hall (302 N. 22nd St.)	0	0	N/A	0	0	N/A
Kenefick Hall (320 N. 20th St.)	0	0	N/A	0	0	N/A
Kiewit Hall (2615 California St.)	0	0	N/A	0	0	N/A
McGloin Hall (2208 California St.)	0	0	N/A	0	0	N/A
Opus Hall (615 N. 20th St.)	2	1 and 2	1. Paper in new furnace. 2. Clothes in dryer.	0	0	1. 0 - \$99 2. \$100 - \$999
Swanson Hall (2500 Cass St.)	0	0	N/A	0	0	N/A



2023						
Facility and Address	Total Fires	Fire Number	Cause	Injuries	Deaths	Value of Damage
Davis Square (706 N. 20th St.)	0	0	N/A	0	0	N/A
Degelman Hall (2403 California St.)	0	0	N/A	0	0	N/A
Graves Hall (2275 Burt St.)	0	0	N/A	0	0	N/A
Heider Hall (302 N. 22nd St.)	0	0	N/A	0	0	N/A
Kenefick Hall (320 N. 20th St.)	0	0	N/A	0	0	N/A
Kiewit Hall (2615 California St.)	0	0	N/A	0	0	N/A
McGloin Hall (2208 California St.)	0	0	N/A	0	0	N/A
Opus Hall (615 N. 20th St.)	0	0	N/A	0	0	N/A
Swanson Hall (2500 Cass St.)	0	0	N/A	0	0	N/A

Resources

Creighton University Resources

Abrahams Legal Clinic

School of Law
law.creighton.edu/clinics/abrahams-legal-clinic
clinic@creighton.edu | 402.280.2720

Athletics Department

Championship Center and Ryan Athletic Center
gocreighton.com/staff-directory
402.280.2720

Campus Ministry

Swanson Hall, Lower Level
creighton.edu/ministry/campusministry
402.280.2779

Card Services

Harper Center, Suite 1090
creighton.edu/admin/cardservices
402.280.2779

Creighton Intercultural Center

Brandeis Hall, B03
creighton.edu/administration/cic
CICJays@creighton.edu | 402.280.2779

Department of Public Safety

2222 Burt St.
creighton.edu/public-safety

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

Department of Residential Life

Swanson Hall, Suite 136
studentlife.creighton.edu/about/departments-and-staff/residential-life
living@creighton.edu | 402.280.2779

Division of Student Life

creighton.edu/student-experience
402.280.2775

Employee Assistance Program (faculty/staff)

my.creighton.edu/hr/resources/employee-resources/employee-assistance-program-eap
800.424.4831

EthicsPoint is a third-party hotline service to provide a simple way to report activities, anonymously if you prefer, that may involve serious misconduct, violations of laws and regulations, or Creighton University policy.
secure.ethicspoint.com/domain/media/en/gui/43718
855.256.0478

Facilities Management

1006 N. 20th St.
my.creighton.edu/admin/facilities
402.280.2780

Financial Aid

Harper Center, Suite 100
creighton.edu/financialaid
402.280.2731 | 800.282.5835
Undergraduate: finaid@creighton.edu
Graduate/Professional: gpfinaid@creighton.edu

Housing and Auxiliary Services

Swanson, Suite 136
living@creighton.edu | 402.280.2717

Human Resources

701 N. 20th St.
creighton.edu/hr
hr@creighton.edu | 402.280.2709

Jesuit Community

creighton.edu/missionandministry/jesuitcommunity/
Jesuits are confidential only during the Rite of Confession; otherwise, they are mandatory reporters under Title IX and encouraged to report crimes with nonidentifiable information under the Clergy Act.

Office of Community Standards and Student Conduct (CSSC)

Creighton Hall, Suite 224
studentlife.creighton.edu/community/standards-conduct
communitystandards@creighton.edu | 402.280.2775

Office of Title IX and Civil Rights Compliance (T9-CRC)

Creighton Hall 340
The Office of Title IX and Civil Rights Compliance oversees all reports of and investigations into alleged discrimination and sex-based harassment involving faculty, staff or students.
creighton.edu/titleix
titleix@creighton.edu | 402.280.3189

Parking Services

Harper Center, Suite 1090
creighton.edu/public-safety/parking
parking@creighton.edu | 402.280.5225

Recreation and Wellness

Kiewit Fitness Center, Suite 211
creighton.edu/student-experience/health-wellness
recreation@creighton.edu | 402.280.2848

CHI Health Student Care Clinic

2412 Cuming St.
studentlife.creighton.edu/wellness/health-and-counseling/chi-student-care-clinic
402.280.2735

Student Health Education and Compliance Office

creighton.edu/student-experience/wellness/health-and-counseling/student-health-education-and-compliance
402.280.2735
Insurance questions: studentinsurance@creighton.edu
Immunization questions: immunizations@creighton.edu

Resources *continued*

Student Leadership and Involvement Center

Skutt Student Center 120 and 205
studentlife.creighton.edu/about/departments-and-staff/student-leadership-and-involvement-center
SLIC@creighton.edu | 402.280.1715

Student Counseling Services (confidential resource)

Markoe Hall
creighton.edu/student-experience/wellness/health-and-counseling/student-counseling-services

Violence Intervention and Prevention (VIP) Center

Lower Brandeis Hall, B04
VIP Center staff are not considered mandatory reporters under Title IX but are considered Campus Security Authorities under the Clery Act.
creighton.edu/vip
vipcenter@creighton.edu | 402.280.3794

Community Resources – Omaha

Advocacy Resources:

Catholic Charities

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

Women’s Center for Advancement

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

Emergency Department Resources:

CHI Health Creighton University

Medical Center – Bergan Mercy
7500 Mercy Road, Omaha, NE 68124
Emergency Center: 402.398.6161
chihealth.com/locations/cumc-bergan-mer

CHI Health Creighton University

Medical Center – University Campus
2412 Cuming St., Omaha, NE 68178
402.449.4000
chihealth.com/en/location-search/cumcuc.html

Methodist Hospital

8303 Dodge St., Omaha, NE 68114
bestcare.org/methodist-hospital
707 N. 190th Plaza, Omaha, NE 68022
bestcare.org/locations/methodist-womens-hospital
24-hour help line: 402.354.4424

Nebraska Medical Center

4378 Dewey Ave., Omaha, NE 68105
Emergency Center: 402.552.2000
unmc.edu

Immigration and Refugee Resources:

Nebraska Immigration Legal Assistance hotline (NILA)
855.307.6730

Legal Aid Resources:

Legal Aid of Nebraska
402.348.1069
legalaidofnebraska.org

Access Nebraska

800.383.4278
nebraskaccess.ne.gov/legalaid.asp

Mental Health Resources:

Community Alliance

4001 Leavenworth Street
community-alliance.org
402.341.5128

Heartland Family Service

2101 S. 42nd St.
heartlandfamilyservice.org
info@HeartlandFamilyService.org | 402.552.7400

Lasting Hope Recovery Center

415 S. 24th Avenue
chihealth.com/services/behavioral-care/lasting-hope
402.717.5300

Lutheran Family Services of Nebraska

7929 W. Center Rd.
lfsneb.org
Office: 402.342.7038
Counseling Hotline: 855.659.2706

National Alliance on Mental Illness (NAMI) Nebraska

6001 Dodge Street
naminebraska.org
info@naminebraska.org | 402.345.8101

Nebraska Department of Health and Human Services

dhhs.ne.gov/Pages/Behavioral-Health.aspx
402.471.3121

Local Law Enforcement Resources:

Douglas County Law Enforcement Center

3601 N. 156th St., Omaha, NE 68116 | 402.444.6641
omahasheriff.org

Omaha Police Department

Emergency/requiring immediate police response: 911
Non-emergency: 402.444.5600
police.cityofomaha.org

Substance Abuse Resources:

CHI Health Outpatient Chemical Dependency Treatment

7101 Newport Avenue
chihealth.com/services/behavioral-care/outpatient
402.572.2870

Center Pointe Campus for Hope

1490 N. 16th Street
centerpointe.org/programs/campus-for-hope.html
residentialcfh@centerpointe.org | 402.827.0570

Heartland Family Services

2101 S. 42nd St.
heartlandfamilyservice.org
info@HeartlandFamilyService.org | 402.552.7400

Lutheran Family Services

7929 W. Center Rd.
lfsneb.org
Office: 402.342.7038
Counseling Hotline: 855.659.2706

Nebraska Department of Health and Human Services Treatment and Recovery

dhhs.ne.gov/Pages/Addiction-Treatment-and-Recovery.aspx
402.471.3121

Valley Hope of Omaha

7703 Serum Avenue
valleyhope.org/locations/nebraska/omaha-treatment-center
402.991.8824 | 800.544.5101

24-Hour Hotlines

The National Domestic Violence Hotline

800.799.SAFE (7233)
thehotline.org

The National Suicide Prevention Lifeline

800.273.TALK (8255)

Crisis Text Line

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

Suicide Prevention for LGBTQ Youth through the Trevor Project:

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

Veterans' Suicide Prevention Lifeline

800.273.TALK (800.273.8255)

SAMHSA Treatment Referral Hotline (Substance Abuse)

800.662.HELP (800.662.4357)

National Sexual Assault Hotline

800.656.HOPE (800.656.4673)

Loveisrespect (National Dating Abuse Helpline)

Call 866.331.9474 (TTY: 866.331.8453). Text LOVEIS to 22522. You'll receive a response from a peer advocate prompting you for your question. Go ahead and text your comment or question and we will reply.

Informational Resources

Clery Center

clerycenter.org

Federal Student Aid

studentaid.gov

Know Your IX

knowyourix.org

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

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

OCR@ed.gov | 800.421.3481
ed.gov/about/offices/list/ocr/index.html

RAINN (Rape, Abuse, and Incest National Network)

rainn.org

Victim Connect

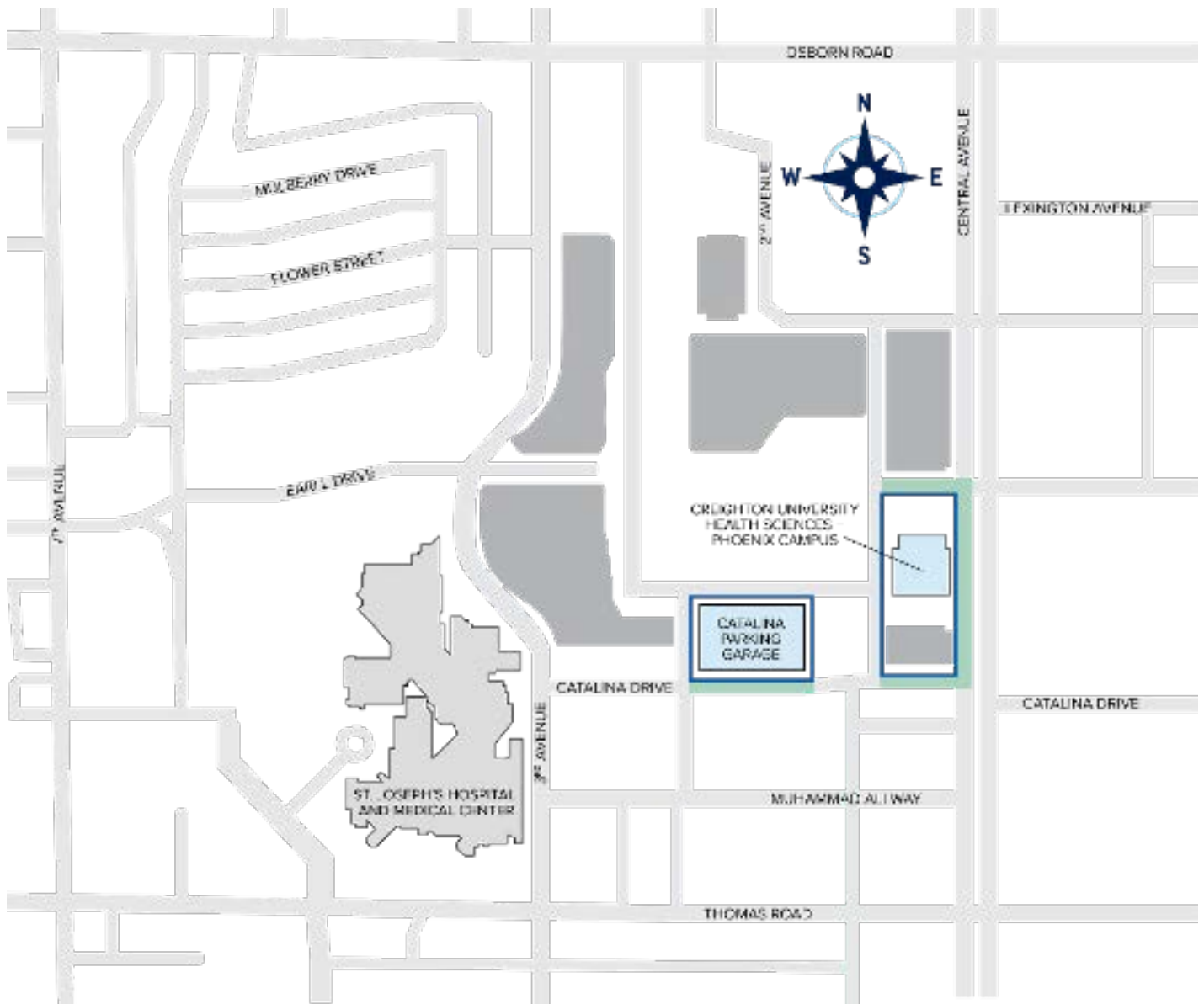
victimconnect.org
855.484.2846

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

Creighton University Health Sciences – Phoenix Campus



Phoenix Campus Map



- On-Campus Buildings
- On-Campus Property Boundary
- Public Property
- Parking Lots

The Clery Act requires that any institution maintaining more than one campus must comply with the Clery Act requirements by completing a separate ASR for each campus. This separate publication can be included with the primary campus's ASR and must clearly differentiate each campus's policies and statistics. All policy statements previously listed in this ASR apply to all campuses unless otherwise noted. **For more information on the preparation of this document, see page 3.**

The Phoenix campus has no student housing facilities or non-campus properties and is not required to comply with certain Clery Act regulations for campuses with student housing. Employees and students at the Phoenix campus are subject to all the University's policies and procedures covered in this report as well as all applicable Arizona state laws. Any differences in policies or laws specifically directed toward Phoenix students and staff will be included in this section.

Phoenix Campus and Geography

In 2018, Creighton University expanded its health sciences degree programs to include a separate health sciences campus located in Phoenix, Arizona. A separate campus is one that is owned or controlled by an institution, is not reasonably geographically contiguous with the main campus, has an organized program of study leading to a degree, and at least one person at the location acts in an administrative capacity. In June 2021, the newly constructed Virginia G. Piper Charitable Trust Health Sciences Building (Health Sciences Building) opened and began training future health sciences professionals. This building replaced the former leased space at 3110 N. Central Ave. as well as the Dignity Health St. Joseph's Hospital and Medical Center located at 350 W. Thomas Road.

The Clery geography for the Phoenix health sciences campus, located at 3100 N. Central Ave., includes the Health Sciences Building, an adjacent surface parking lot, and the sidewalks and streets surrounding the property. Creighton also leases several parking spaces in the nearby Catalina Parking Garage, 150 W. Catalina Dr., for students, faculty, and staff to use on a first-come, first served basis. Creighton does not provide any residence halls for students at the Phoenix campus and does not maintain any non-campus properties in the Phoenix area. **For definitions of Clery geography, see page 13.**

Law Enforcement Jurisdiction and Crime Reporting

Creighton University has entered into an agreement with a third-party security company (Transcend Security) to cover the security needs of the Health Sciences Building. Transcend officers are available 24/7 and are first responders for any incidents on campus which will be reported to the University. Transcend officers are available for escorts and other assistance as needed. Transcend Security officers do not possess any powers of arrest, so any criminal activity resulting in arrest will be handled by the Phoenix Police Department (PPD). Transcend security officers will assist community members in contacting the PPD when needed.

Community members requiring security assistance should contact the main floor security desk at 602.812.7300 for non-emergencies, or the emergency line at 602.812.4990.

The Catalina Parking Garage is not owned or operated by Creighton University, and spaces are leased from the third-party

owner. Transcend Security will not provide security services for the parking garage as it is covered by a separate security company; however, Transcend officers will be available to provide pedestrian escorts to and from the parking garage. Any information on Clery reportable activity at these two locations will be obtained through the annual request with the PPD.

The location of the health sciences campus is within the jurisdiction of the Phoenix Police Department (PPD). Officers from the Mountain View Precinct patrol the area around campus 24/7 and are available to respond to calls for service should the need arise. To report a crime, an emergency, or to summon the assistance of the police, community members should contact the PPD at the following phone numbers:

- In an emergency or to report suspicious activity: 911
- To report a crime or non-emergency: 602.262.6151
- If you witness a crime, and want to make an anonymous report, you may access the PPD Silent Witness line: 480.948.6337 (480-WITNESS)

Creighton University does not maintain any non-campus properties in Phoenix requiring the PPD to monitor or report. There is no formal agreement or memoranda of understanding between the University and the Phoenix Police Department; however, Creighton and Transcend Security officers will maintain a professional working relationship with the PPD, as well as the Maricopa County Sheriff's Office, and the Arizona Department of Public Safety. Members of the Creighton University community are encouraged to report all incidents of crime promptly and accurately, regardless of how minor it seems. Transcend officers will assist community members in reporting crime to the PPD if they elect to, or are unable to, make such a report. Campus community members are encouraged to report criminal activity to these agencies. Community members may also report crimes to Creighton staff and faculty members who are identified as Campus Security Authorities.

Campus Security Authorities

Even though all community members are encouraged to report criminal incidents to security or law enforcement, the University recognizes this may not always be the case. A community member may wish to report an incident to someone other than security or law enforcement. For this reason, the Clery Act requires the University to collect crime reports from a variety of individuals and organizations throughout campus that are referred to as "Campus Security Authorities" or CSAs. CSAs are included within four different groups on the Phoenix campus:

- **A campus police or security department:** This includes all members of Transcend Security.
- **Any individuals who have responsibility for campus security but are not part of Transcend Security:** This may include desk receptionists, door monitors, or other event security.
- **Individuals designated by the University to receive reports of criminal offenses from students and employees:** This includes the offices of Title IX and Civil Rights Compliance or Community Standards and Student Conduct.
- **An official who has significant responsibility for students and campus activities:** This may include Administrative Staff, Student Organization Advisors, Academic Advisors, Academic Deans, etc.

If a criminal incident is reported to a CSA, they will advise the reporting party of their obligation to report the incident to the University for inclusion in the campus crime statistics. This information can be forwarded without any personal identifying information if the reporting party so wishes.

Voluntary and Confidential Reporting

Creighton University provides the option for victims or witnesses to report crimes on a voluntary and confidential basis for inclusion in the annual disclosure of campus crime statistics. When confidential reporting is not available, every effort will be made to protect the confidentiality of victims and witnesses, should they so desire.

Community members may make confidential reports to pastoral or professional counselors. Although there is no policy requiring counselors to inform community members they can report incidents of crime to the University, Creighton University encourages counselors to do so, if and when they deem it appropriate. Reporting can be done directly or anonymously.

Private, confidential, and anonymous reports can be made in the following ways:

- Report to the Violence Intervention and Prevention (VIP) Center: vipcenter@creighton.edu | 402.280.3794
- Report online through the Help Someone reporting form: creighton.edu/safety/tell-someone
- Ethicspoint reporting hotline or secure website: 855.256.0478
secure.ethicspoint.com/domain/media/en/gui/43718/

While anonymous reporting is available, and all reports will be reviewed, Creighton's ability to investigate and appropriately address allegations of misconduct will be significantly limited.

Mandatory Reporting

The University requires all faculty and staff to report incidents of harassment, discrimination, sexual and/or relationship misconduct to the Office of Title IX and Civil Rights Compliance. Student employees, in the administration of their job duties, are also considered mandatory reporters.

All individuals in the state of Arizona are mandatory reporters of child abuse and neglect. Reports of suspected child abuse and neglect must be made to local authorities or the Arizona Child Abuse and Neglect Hotline: 888.767.2445 or dcs.az.gov/report-child-abuse

Daily Crime Log

The Phoenix campus maintains a daily crime log to record all alleged criminal incidents occurring on the property. Information in the crime log includes the incident number, the crime classification, the date the incident occurred and was reported, the general location, and the disposition of each event. The crime log for the most recent 60-day period is available for public inspection at the front desk during normal business hours. Any logs beyond 60 days will be made available for inspection at the front desk within two business days of a request.

Security and Access to Campus Facilities

The health sciences building is unlocked and accessible from 6 a.m.–6 p.m., 7 days a week. From 6 p.m.–midnight, the building

will be card access only. During these times, officers will be present in the building working at the main floor kiosk or patrolling the property, and after the building closes at midnight, an officer will continue to patrol the property.

Community members requiring security assistance should contact the main floor security desk at 602.812.7300 for non-emergencies, or the emergency line at 602.812.4990.

The maintenance of campus facilities and infrastructure plays an important role in the campus security plan. Facilities Management staff attend to the Health Sciences Building and grounds with concerns for safety and security. Any irregularities that would compromise safety and security should be reported to security immediately.

Crime Prevention Programming and Security Awareness

Crime-prevention programming and security awareness are intended to encourage Creighton affiliates to notice, interpret, and act in terms of crime prevention and security awareness, and to be responsible for their own security and the security of others.

Creighton currently does not offer any active crime prevention and awareness programming for the Phoenix campus.

Emergency Response and Evacuation

Information that would warrant an emergency notification or a timely warning to the campus community should be reported to:

- Campus security at 602.812.7300 for non-emergencies, or the emergency line at 602.812.4990
- Phoenix Police Department at 911

Emergency notifications and timely warnings are intended to aid in keeping the campus community safe and healthy.

Campus emergency operations are under the direction of the Critical Incident Response Team (CIRT). The president has delegated authority to the CIRT to direct immediate actions in response to any physical, cyber, or reputational threats to the University. The new policy also created the University Preparedness Committee (UPC). The UPC is chartered to develop protocols, standards, procedures, and organizational structures that will ensure Creighton University is a secure and resilient campus, with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risks. Emergency preparedness resources for the campus are available on the Public Safety website at: creighton.edu/public-safety/emergency-info

Campus emergency procedures provide specific, concise guidance to community members for a variety of events, including bomb threats, chemical spills, crimes, fires, and medical and weather emergencies. This information is accessible and can be downloaded at: creighton.edu/fileadmin/user/AdminFinance/PublicSafety/docs/CampusStickerFINAL.pdf

One element of the University's Crisis Response Plan involves emergency response and evacuation, which outlines the steps that will be taken to alert community members to active threats, so they may take immediate measures to mitigate their exposure to such events.

CreightonAlert Notification System

Creighton University's procedures for the issuance of Emergency Notifications and Timely Warnings are same for the Omaha and Phoenix campuses; however, the primary decision maker for the Phoenix campus will be the Senior Director of Campus Support. In the event of a significant emergency, staff members are instructed to contact 911 then summon security personnel who will respond to assess the situation. The Senior director of Campus Support, or their designee, will contact the AVP of Public Safety, who will then notify the CIRT and then decide what type of CreightonAlert will be issued. The alert can be issued from the Omaha campus or the Phoenix campus. Depending on the nature of the incident, the Phoenix Police Department, the Phoenix Fire Department, or other external agencies may be requested. Once these external resources have been notified, they will have jurisdiction and take control of the situation **See Creighton's notification policy highlighted in blue on page 10–11.**

Emergency Drills and Testing

Each year, the University will conduct at least one unannounced campus-wide emergency response/evacuation drill on the Phoenix campus. This event is scheduled to occur during the Fall Semester and consists of a campus-wide fire drill. In conjunction with the fire drill, a notice is sent out to faculty for

scheduling purposes.

On the day of the event, a fire alarm is activated, and the building is evacuated. Security and Facilities personnel sweep the building floor by floor to ensure no one is still inside the building. During the drill, the evacuation and building sweep are timed before issuing an all clear notification. Once an all clear has been received, the alarm is turned off, and people are allowed to return to the building. At the completion of the drill, an after-action report is completed and forwarded to the Department of Public Safety on the Omaha Campus for review. This final documentation will provide a description of the drill including the day, date, and time of the event and whether it was announced or unannounced.

Missing Student Notification Policy

An institution that maintains any on-campus student housing facilities is required to comply with the Department of Education missing student notification regulations. The Phoenix campus does not have any on-campus housing; therefore, is not required to comply with this regulation.

Campus Crime Classifications

Campus crime classifications are universal as defined by the Clery Act. **All crime classifications and definitions can be found highlighted in blue on pages 17–18.**

Campus Crime Statistics – Phoenix Campus

The Phoenix campus has no On-Campus Student Housing Facilities or Non-Campus Property.

Crime Category	Number of Incidents Reported														
	On-Campus Student Housing			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2021	2022*	2023	2021	2022*	2023	2021	2022*	2023	2021	2022*	2023	2021	2022*	2023
Murder/Non-Negligent Manslaughter	N/A	N/A	N/A	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0
Manslaughter by Negligence	N/A	N/A	N/A	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0
Sex Offense															
Rape	N/A	N/A	N/A	4	0	0	4	0	0	N/A	N/A	N/A	0	0	0
Fondling	N/A	N/A	N/A	1	0	0	1	0	0	N/A	N/A	N/A	0	0	0
Incest	N/A	N/A	N/A	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0
Statutory Rape	N/A	N/A	N/A	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0
Robbery	N/A	N/A	N/A	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0
Aggravated Assault	N/A	N/A	N/A	3	0	0	3	0	0	N/A	N/A	N/A	1	0	0
Burglary	N/A	N/A	N/A	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0
Motor Vehicle Theft	N/A	N/A	N/A	1	0	0	1	0	0	N/A	N/A	N/A	0	0	0
Arson	N/A	N/A	N/A	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0

*On June 30, 2021, the University ceased to maintain any institutional control over St. Joseph's Hospital and Medical Center which was the primary source of crime statistics for the Phoenix campus.

Hate Crimes – Phoenix Campus

Year	Description	Category
2021	No hate crimes reported	N/A
2022	No hate crimes reported	N/A
2023	No hate crimes reported	N/A

Unfounded Crimes – Phoenix Campus

Year	Description	Police Report
2021	No unfounded crimes	N/A
2022	No unfounded crimes	N/A
2023	No unfounded crimes	N/A

Sexual Harassment Prevention and Awareness Programming (Phoenix)

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

Creighton University prioritizes the safety of students, faculty and staff on campus and works diligently to reduce the risk of harassment, discrimination and/or sexual or relationship misconduct among members of the Creighton community. To further this endeavor, Creighton offers ongoing programming, education and campaigns geared toward violence prevention and awareness, involving the Office of Title IX and Civil Rights Compliance (T9-CRC), the Office of Community Standards and Student Conduct (CSSC), and the Violence Intervention and Prevention (VIP) Center.

Educational programs, online trainings and presentations are offered to raise awareness for all incoming students, faculty and staff, and are conducted during new student and new faculty/ staff orientation, as well as other times throughout the year. These programs aim to raise awareness, while also focusing on primary prevention, awareness programs, and bystander intervention. Additionally, these programs provide an overview of Creighton’s Title IX Sexual Harassment policy, including definitions and warning signs and a review of the University’s Title IX Sexual Harassment and Non-Discrimination Policy definition of consent.

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

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

Orientation Programs: All new students, staff and faculty are required to complete Title IX training, including an overview of Creighton University’s Title IX Sexual Harassment Policy. This training is tailored for each incoming group and provide each participant the opportunity to reflect on various types of interpersonal violence, how to recognize warning signs, what resources are available on campus and how to report a concern.

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

Arizona Health Alliance and School of Medicine Residents: These programs are intended to provide additional training to faculty and staff members within their roles in the University and in the Alliance. These trainings are often position-specific to ensure that topics are relevant to faculty and staff roles within the Arizona Health Alliance.

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

Interpersonal Violence Presentations: T9-CRC and CSSC staff host educational presentations regarding topics of interpersonal violence for all members of the Creighton community. Topics include healthy relationships, warning signs, prevention and identifying concerns as a health professional.

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

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

Violence Against Women Act (VAWA) Offenses – Phoenix Campus

The Phoenix campus has no On-Campus Student Housing Facilities or Non-Campus Property.

Crime Category	Number of Incidents Reported														
	On-Campus Student Housing			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Domestic Violence	N/A	N/A	N/A	1	0	0	1	0	0	N/A	N/A	N/A	0	0	0
Dating Violence	N/A	N/A	N/A	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0
Stalking	N/A	N/A	N/A	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0

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

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

Ongoing prevention and awareness campaigns are active and passive programs offered throughout the academic year by T9-CRC, CSSC, and the VIP Center. These programs have a goal of educating the campus community on issues of sexual and relationship misconduct.

Throughout the year, T9-CRC and Student Life present Green Dot Bystander Training as well as Title IX Training.

Creighton University Title IX Sex-Based Harassment and Non-Discrimination Policy Statements

Creighton's policy can be found highlighted in blue on pages 22–25.

Federal Laws Related to Title IX and Sex-Based Harassment and VAWA Definitions

These laws and definitions are universal for all campuses and can be found highlighted in blue on pages 25–26.

Arizona State Laws: Harassment, Discrimination, Sexual and Relationship Misconduct

Consent: Arizona law currently does not define consent. Instead, state law defines "without consent."

Without Consent: Includes any of the following:

- the victim is coerced by the immediate use or threatened

use of force against a person or property;

- the victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant;
- the victim is intentionally deceived as to the nature of the act; or
- the victim is intentionally deceived to erroneously believe that the person is the victim's spouse.

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

Domestic Violence: Means any act that is a dangerous crime against children, as provided by statute, or a dangerous crime against another if any of the following applies:

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

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

Interference With or Disruption of an Educational Institution:

A. A person commits interference with or disruption of an educational institution by doing any of the following:

1. Intentionally, knowingly or recklessly interfering with or disrupting the normal operation of an educational institution by either:
 - a. Threatening to cause physical injury to any employee or student of an educational institution or any person on the property of an educational institution.
 - b. Threatening to cause damage to any educational institution, the property of any educational institution or the property of any employee or student of an educational institution.
2. Intentionally or knowingly entering or remaining on the property of any educational institution for the purpose of interfering with the lawful use of the property or in any manner as to deny or interfere with the lawful use of the property by others.
3. Intentionally or knowingly refusing to obey a lawful order given pursuant to subsection C of this section.

B. To constitute a violation of this section, the acts that are prohibited by subsection A, paragraph 1 of this section are not required to be directed at a specific individual, a specific educational institution or any specific property of an educational institution.

C. The chief administrative officer of an educational institution or an officer or employee designated by the chief administrative officer to maintain order may order a person to leave the property of the educational institution if the officer or employee has reasonable grounds to believe either that:

1. Any person or persons are committing any act that interferes with or disrupts the lawful use of the property by others at the educational institution.
2. Any person has entered on the property of an educational institution for the purpose of committing any act that interferes with or disrupts the lawful use of the property by others at the educational institution.

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

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

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

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

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

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

Additional information on definitions for Arizona Revised Statute Sex Offenses may be found at: [azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/13/01401.htm](https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/13/01401.htm)

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

Sex Offender Law and Registry

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

Arizona Sex Offender Registry:
azdps.gov/services/public/offender

In addition to the above notice, all Arizona-based sex offenders seeking enrollment in, employment with, or volunteering at Creighton University are required to deliver written notice via email of their status as a sex offender to Creighton University's Department of Public Safety, CreightonDPS@creighton.edu, no later than three business days prior to their arrival on campus. Such notification may be disseminated by Creighton University for the safety and well-being of the Creighton community and may be considered by Creighton for enrollment and discipline purposes.

Creighton University Title IX Sex Discrimination and Sex-Based Harassment Policy Statements

Creighton's policy statements can be found highlighted in blue beginning on page 33.

Procedures to Follow When a Crime of Sexual Assault, Dating/Domestic Violence, or Stalking Has Occurred, and the Procedures the University Will Follow

This information can be found highlighted in blue on pages 29–31 and beginning on page 33.

Phoenix-Specific Information

Confidential Advocacy

VIP Center (Creighton resource) Based in Omaha, the Violence Intervention and Prevention (VIP) Center offers virtual and confidential advocacy services. They provide options and resources in a safe, confidential space allowing individuals to make fully informed decisions regarding incidents of sexual harassment.

vipcenter@creighton.edu | 402.280.3794

The Phoenix Family Advocacy Center (Local services): The Phoenix Family Advocacy Center provides confidential advocacy and support, safety planning, assistance filing protection orders, trauma-informed therapy referrals, and assistance and accompaniment in reporting to the Phoenix Police Department. They also provide forensic nurse exams on site.

602.534.2120 (main number) | 480.312.6339 (forensic exams without making a police report)

Office of Title IX and Civil Rights Compliance: If an individual would like to file a complaint of sex discrimination or sex-based harassment, the Office of Title IX and Civil Rights Compliance (T9-CRC) oversees and responds to all reports of sexual harassment at Creighton University. Regardless of whether a police report is made, where the incident occurred, or how a party would like to proceed, T9-CRC will provide individuals with the Title IX Resource Guide. This guide will provide information about available supportive measures available which may include:

- Contact restrictions
- Adjustments to work environment and/or duties
- Adjustments to class schedules or Creighton activities
- Adjustments to academic requirements
- Campus escorts and/or transportation arrangements
- Administrative separation from the University
- Safety planning

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

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

Phoenix Health Science Campus, 704B
jamesnitta@creighton.edu | 602.812.4590

Preservation of Evidence and Medical Care

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

- Electronic communications such as text messages, videos, pictures or social media content (or screenshots of such evidence if it is not directly connected to a device or accounts) may be important to preserve if an individual wants to report the incident.
- It is important to preserve physical evidence that may include tissue and fluid samples, evidence of violence, sheets, towels, clothing, etc. An individual may choose to avoid washing, showering, urinating, brushing teeth, changing clothes, etc. until after being examined by a medical professional or at the hospital if possible. Because evidence of sexual or relationship misconduct can deteriorate quickly, an individual may choose to seek a medical exam as soon as possible. Evidence collection should be completed within 120 hours of an incident

of sexual and/or relationship misconduct but fluids, hair samples and DNA can be collected for a long time thereafter. Even if an individual has washed, evidence can still be obtained. After 120 hours, it may still be helpful to receive medical attention, even if an individual is not trying to obtain evidence of sexual or relationship misconduct.

- If an individual suspects they may have been drugged, inform medical personnel or law enforcement as soon as possible so they can attempt to collect potential evidence (e.g., from the drink, through urine or blood sample.)

For details on Arizona's sexual assault response protocol, please see maricopacountyattorney.org/DocumentCenter/View/514/Sexual-Assault-Protocol-2017

How to Obtain a Protection Order in Arizona

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

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

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

To have an injunction granted or issued:

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

The Process of Obtaining a Protective Order

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

Information Needed:

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

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

For more information regarding AZ protection orders: phoenix.gov/court/protection-orders

Off-Campus Confidential Advocacy Arizona

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

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

Filing a Complaint with an Outside Agency

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

- United States Department of Education's Office for Civil Rights (OCR) ed.gov/about/offices/list/ocr/index.html
- Equal Employment Opportunity Commission (EEOC) eoc.gov
- Arizona Department of Labor azica.gov/divisions/labor-department
- Arizona Judicial Branch azcourts.gov/Self-Service/CivilLaw
- Arizona State Board of Private Postsecondary Education ppse.az.gov
- Phoenix District Office EEOC eoc.gov/field/phoenix/index.cfm

Reporting Incident of Sex Discrimination and Sex-Based Harassment to the University: Disciplinary Processes

This information can be found highlighted in blue on pages beginning on page 33.

Title IX contacts for students and employees:

Allison Taylor, MSEd

Title IX Coordinator and Executive Director,
Office of Title IX and Civil Rights Compliance
2500 California Plaza, Creighton Hall, Ste. 340
Omaha, NE 68178
402.280.4120 | AllisonTaylor@creighton.edu
creighton.edu/titleix

James Nitta

Associate Director for the Office of Title IX
and Civil Rights Compliance
Phoenix Health Sciences Campus
3100 N. Central Ave, Room 704B
Phoenix, AZ 85012
jamesnitta@creighton.edu | 602.812.4590

Alcohol and Other Drugs

This information is universal for all campuses and can be found highlighted in blue on pages 51-56.

Arizona State Laws Regarding Alcohol, Drugs, and Weapons

Alcohol

1. It is unlawful for a person under the age of 21 to buy, receive, have in the person's possession, or consume spirituous liquor, and It is unlawful for a person to sell, furnish, dispose of or give, or cause to be sold, furnished, disposed of or given, spirituous liquor to a person under the age of 21. This is a Class I Misdemeanor. *A.R.S. 4-244(9)*

2. It is unlawful for a person under the age of 21 to misrepresent their age through the use of false identification to induce a person to sell, serve, give, or furnish spirituous liquor, or to gain access to a licensed establishment. This is a Class I Misdemeanor. *A.R.S. 4-421(L)(N)*

Illegal Drugs

1. It is unlawful for a person to knowingly possess, sell, transfer, or offer to sell or transfer peyote unless it is intended for use in a bona fide religious exercise. This is a Class 6 Felony. *A.R.S. 13-3402*

2. It is not unlawful for an individual who is at least 21 years of age to possess, consume, purchase, process, manufacture, or transport 1 ounce or less of marijuana, except not more than 5 grams of marijuana concentrate. *A.R.S. 36-2852*

Despite any provisions of Arizona state law, the possession, distribution, and use of marijuana is prohibited on the Phoenix campus.

3. It is unlawful for a person to possess, use, administer, acquire, sell, manufacture, or transport dangerous drugs. Dangerous drugs include methamphetamine, mescaline, LSD, MMDA, MDA, PCP, amphetamine, and anabolic steroids. Possession or use of a dangerous drug is a Class 4 Felony. *A.R.S. 13-3407*

4. It is unlawful for a person to possess, use, administer, acquire, sell, manufacture, or transport narcotic drugs. Narcotic drugs include cocaine, codeine, fentanyl, heroin, hydrocodone, morphine, and oxycodone. Possession or use of a narcotic drug is a Class 4 Felony. *A.R.S. 13-3408*

5. It is unlawful for a person to possess, manufacture, deliver, or advertise drug paraphernalia (other than that used for marijuana) used to introduce a prohibited drug into the body. This is a Class 6 Felony. *A.R.S. 13-3415*

Good Samaritan

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

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

Alcohol, Drug and Weapons Arrests – Phoenix Campus

The Phoenix campus has no On-Campus Student Housing Facilities or Non-Campus Property.

Crime Category	Number of Arrests														
	On-Campus Student Housing			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Weapons Law Violations	N/A	N/A	N/A	2	0	0	2	0	0	N/A	N/A	N/A	0	0	0
Drug Law Violations	N/A	N/A	N/A	2	0	0	2	0	0	N/A	N/A	N/A	0	0	0
Liquor Law Violations	N/A	N/A	N/A	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0

Alcohol, Drug and Weapons Disciplinary Referrals – Phoenix Campus

The Phoenix campus has no On-Campus Student Housing Facilities or Non-Campus Property.

Crime Category	Number of Referrals														
	On-Campus Student Housing			On-Campus All Other Areas			On-Campus Totals			Non-Campus Property			Public Property		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Weapons Law Violations	N/A	N/A	N/A	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0
Drug Law Violations	N/A	N/A	N/A	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0
Liquor Law Violations	N/A	N/A	N/A	0	0	0	0	0	0	N/A	N/A	N/A	0	0	0

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

Weapons

Anyone at least 21 years of age who can legally possess a firearm, may carry a concealed firearm without a permit. Any person who is at least 18 years of age who can legally possess a firearm, may openly carry a firearm that is not concealed unless prohibited by the establishment or state statute. *A.R.S. 13-3112, A.R.S. 13-3102*

Despite any provisions of Arizona state law, the possession of a firearm or other deadly weapon is strictly prohibited on the Phoenix campus.

Federal Drug Trafficking Penalties

This information is universal for all campuses and can be found on pages 57-58.

Annual Fire Safety Report

An institution that maintains any on-campus student housing facilities is required to publish an annual fire safety report disclosing fire safety policies and procedures as well as fire statistics occurring in those facilities. The Phoenix campus does not maintain any on-campus housing; therefore, is not required to comply with this regulation.



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Arizona Health
Education Alliance

In Partnership with Dignity Health St. Joseph's Hospital and Medical Center,
Valleywise Health and District Medical Group

Resources

Creighton University Resources

Campus Ministry

creighton.edu/ministry/campusministry

402.280.2779

Card Services

Harper Center, Suite 1090

creighton.edu/admin/cardservices

402.280.4700

Campus Security – Phoenix

Transcend Security

Non-emergency: 602.812.7300 | Emergency: 602.812.4990

Department of Public Safety

Omaha Campus

creighton.edu/public-safety

402.280.2104

Division of Student Life

creighton.edu/student-experience

402.280.2775

Employee Assistance Program (faculty/staff)

my.creighton.edu/hr/resources/employee-resources/employee-assistance-program-eap

800.424.4831

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

secure.ethicspoint.com/domain/media/en/gui/43718

855.256.0478

Facilities Management

Phoenix Health Sciences Campus

Room 109

602.812.4301

Financial Aid

creighton.edu/financialaid

800.282.5835

Human Resources

Phoenix Health Sciences Campus

Room 7110

602.812.3101

Office of Community Standards and Student Conduct (CSSC)

Creighton Hall, Suite 224

studentlife.creighton.edu/about/departments-and-staff/office-community-standards-and-wellbeing

Phoenix Health Sciences Campus

Room 704A

602.812.4620

Office of Title IX and Civil Rights Compliance (T9-CRC)

The Office of Title IX and Civil Rights Compliance oversees all reports of and investigations into alleged sexual or relationship misconduct involving faculty, staff or students.

creighton.edu/titleix

Phoenix Health Sciences Campus, 704B

TitleIXPHX@creighton.edu | 602.812.4590

Student Counseling Services

Confidential resource

creighton.edu/student-experience/wellness/health-and-counseling/student-counseling-services

402.280.2735

Student Health Education and Compliance Office

creighton.edu/student-experience/wellness/health-and-counseling/student-health-education-and-compliance

402.280.2735

Student Health Services

Contracted services for Creighton students. Identify yourself when making an appointment, then bring student ID and insurance card.

DMG CRS Clinic

3141 N. 3rd Avenue, Suite 100

602.512.3050

Violence Intervention and Prevention (VIP) Center

VIP Center staff are not considered mandatory reporters under

Title IX but are considered Campus Security Authorities under the Clery Act.

creighton.edu/vip

vipcenter@creighton.edu | 402.280.3794

Community Resources – Arizona

Advocacy Resources:

Phoenix Family Advocacy Center

Confidential advocacy and support
2120 N. Central Ave. #250, Phoenix, AZ 85004
602.534.2120
phoenix.gov/humanservices/programs/victims

Chrysalis

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

Emergency Department Resources:

Banner University Medical Center

1111 E. McDowell Road, Phoenix, AZ 85006
602.839.2000
bannerhealth.com/services/emergency

Valleywise Health (formerly Maricopa Integrated Health System)

2601 E. Roosevelt St., Phoenix, AZ 85008
602.344.5411
valleywisehealth.org

St. Joseph's Hospital and Medical Center

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

Immigration and Refugee Resources:

Immigration Advocates Network National Immigration
Legal Services Directory for Arizona
immigrationadvocates.org/legaldirectory/search?state=AZ

Catholic Charities Community Services (Phoenix Office)

602.749.4415 or 1.855.316.2229
catholiccharitiesaz.org/all-locations/immigration

Legal Aid Resources:

Community Legal Services, Inc. Central Phoenix Office

602.258.3434 and 800.852.9075 (Toll-Free)
clsaz.org

Chicanos Por Law Causa, Inc. (CPLC)

602.257.0700
cplc.org

Mental Health and Substance Abuse Resources:

Arizona Substance Use Disorders

211arizona.org/substance-use-disorder

National Alliance on Mental Illness (NAMI)

namiarizona.org
480.994.4407

Resources to Recover (rtor)

rtor.org/directory/mental-health-arizona
help@rtor.org | 203.724.9070

Substance Abuse and Mental Health Services Association

samhsa.gov/find-treatment
877.726.4727

Local Law Enforcement Resources:

Maricopa County Sheriff's Department

5500 W. Jackson, Phoenix, AZ 85003
mcsso.org
602.876.1000 | Emergency 911

Phoenix Police Department

200 W. Washington Street
phoenix.gov/police
602.262.6151 | Emergency: 911

Resources *continued*

24-Hour Hotlines

The National Domestic Violence Hotline

800.799.SAFE (7233)

thehotline.org

The National Suicide Prevention Lifeline

800.273.TALK (8255)

Crisis Text Line

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

Suicide Prevention for LGBTQ Youth through the Trevor Project:

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

Veterans' Suicide Prevention Lifeline

800.273.TALK (800.273.8255)

SAMHSA Treatment Referral Hotline (Substance Abuse)

800.662.HELP (800.662.4357)

National Sexual Assault Hotline

800.656.HOPE (800.656.4673)

Loveisrespect (National Dating Abuse Helpline)

Call 866.331.9474 (TTY: 866.331.8453). Text LOVEIS to 22522. You'll receive a response from a peer advocate prompting you for your question. Go ahead and text your comment or question and we will reply.

Informational Resources

Clery Center

clerycenter.org

Federal Student Aid

studentaid.gov

Know Your IX

knowyourix.org

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

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

OCR@ed.gov | 800.421.3481

ed.gov/about/offices/list/ocr/index.html

RAINN (Rape, Abuse, and Incest National Network)

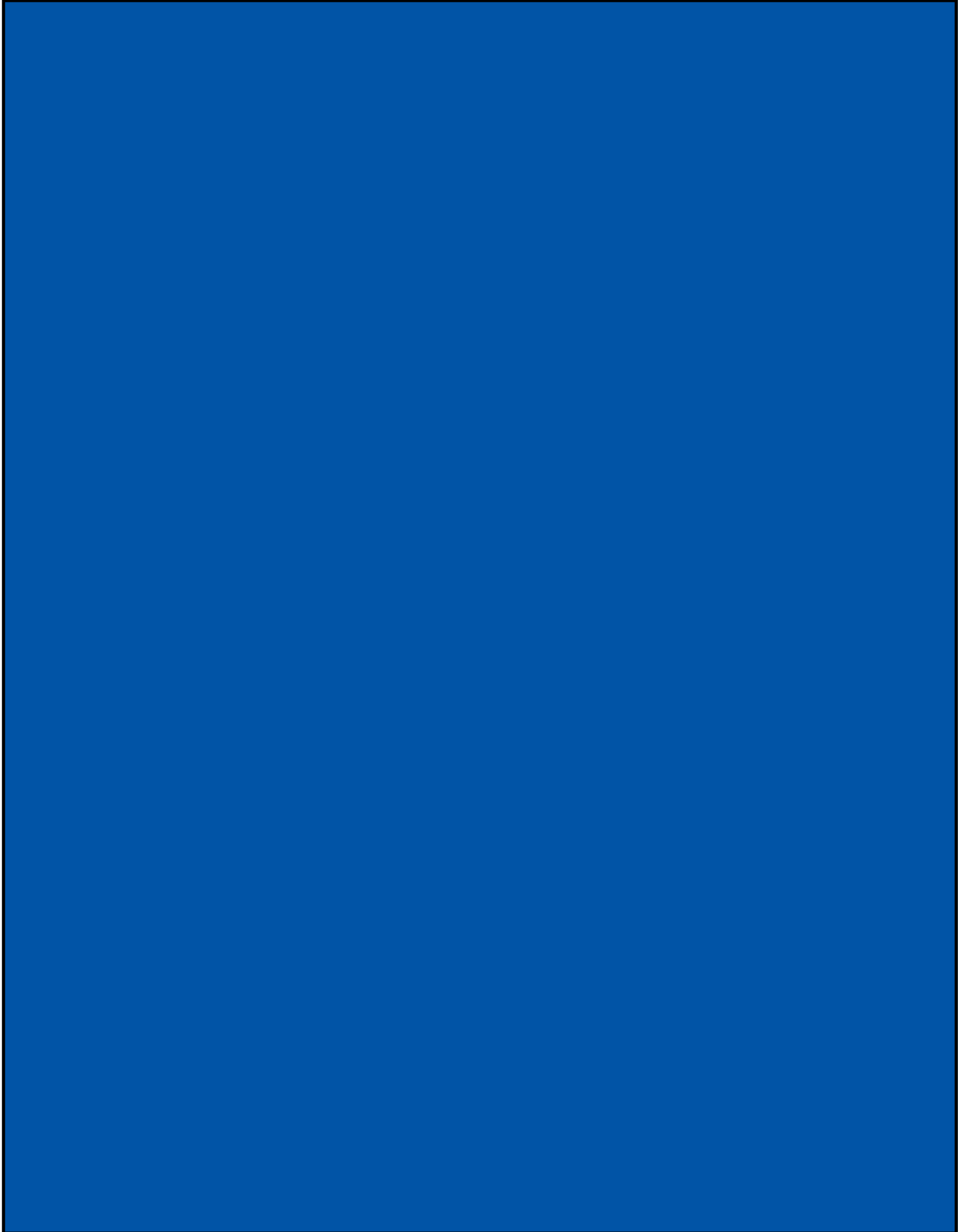
rainn.org

Victim Connect

victimconnect.org

855.484.2846

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



FOR MORE INFORMATION:
CreightonDPS@creighton.edu | 402.280.2104

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Public Safety