

Dismissed Students Sue Quinnipiac

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HAVDEN — Four students who were kicked out of Quinnipiac University after throwing an off-campus keg party before Halloween claim that the university broke a federal law by announcing their dismissals to the press and questioning whether they received a fair disciplinary hearing more than a week later.

The four seniors have filed a lawsuit in U.S. District Court asking Quinnipiac to overturn its disciplinary actions and allow them to return to campus so that they can finish their degrees. The lawsuit comes as the university tries to crack down on binge drinking following a wave of alcohol-related deaths and car crashes. Last year the owner of a local Chinese

Say College Violated Federal Privacy Law

restaurant was struck and killed by a 20-year-old student who later admitted in court that she was driving drunk.

The students who threw the Halloween keg party were expelled after a disciplinary hearing by the university. But unlike in a trial in a public courtroom the students were not allowed to have a lawyer or present evidence. The lawsuit says they were unable to question witnesses or present witnesses of their own. Private colleges are not required to give students accused of breaking rules the same due process rights guaranteed by the U.S. Constitution. But the lawsuit

claims that Quinnipiac denied the students a fair hearing contrary to policies outlined in its student handbook.

"It was just a kangaroo court," said Para Knight, a New Haven lawyer who represented the students in the criminal case. "It's like a judge deciding someone is guilty before the trial takes place." Knight teaches criminal defense law at Quinnipiac.

John Morgan, a Quinnipiac spokesman, said Friday that as the university's policy prohibits comment on pending litigation.

The students had lived together in the rooms before deciding as seniors, this past fall, to rent a brick house on Whitney Avenue, a mile from campus. The Friday

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before Halloween, on Oct. 28, they bought two kegs and invited a few dozen friends over — all of them of legal drinking age, they said. Within an hour or two, droves of students had turned up, some in university shuttles, they said. Twice they called police asking for help with crowd control and even tried to flag down a passing cruiser, they said.

Law and order was eventually restored. But not the way they had hoped. Still wearing their super-hero costumes, the housemates were led away in handcuffs and charged with providing alcohol to minors.

A news story that ran two days later in The New Haven Register struck a chord among those who had complained for years about heavy drinking by off-campus students. The lawsuit claims that Quinnipiac broke a federal privacy law and its own policy when it released the students' internal academic information to the public. The students say they faced heckling and disapproval from the community after the story broke.

Only four of the six expelled students joined the lawsuit; the other two don't want to return to Quinnipiac.

"The six of us felt like criminals," said Jeffrey Saliture, who was dressed as Superman when he was arrested. "I was mortified even to go to the deli. I didn't even want to tell them I lived at 3211 Whitney Ave."

Their education is now on hold, replaced by a new set of problems. Their student loans have started to come due, even though most have no jobs. They have lost their health insurance and tuition and still pay rent and heat on a house they no longer live in. They have tried to transfer schools only to learn that it is nearly impossible without a letter of good standing from Quinnipiac. Although they can apply to come back next fall, there is no guarantee they will be readmitted.

"I don't sleep at all anymore," said Saliture, 21, a history major now living at home again with his parents in Oyster Bay, N.Y.

After the raid on their house, the lawsuit says, the students learned that a Quinnipiac graduate they say they barely knew had circulated an invite a week before their party titled, "The Annual Get Drunk & Wear a Costume Halloween Party." The invitation claimed that the rugby team was hosting the event. It also attested, in Animal House terms, to the success of the previous year's event: "Hamden Police had to call Quinnipiac Shuttles to remove all

the people from our house." Police intercepted the invitation and about 30 Hamden and campus security cops descended on the house at 11:30 p.m.

Over the next few days, the students were questioned, then presented with five charges, including selling alcoholic beverages without a license and distributing alcohol to minors. One by one, the students were brought before Carol Boucher, the associate dean of student affairs, for a hearing. Boucher relied on Quinnipiac's internal investigation

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but produced no witnesses or evidence and did not allow the students to present witnesses or evidence of their own to refute the charges, the lawsuit says.

On Nov. 11, the students were found guilty of four of the five charges and expelled, the lawsuit states. The students appealed to the university president. The school's vice president responded by reducing their expulsion to a "dismissal," which allows them to apply for readmission next fall.

"It's a complete absurdity how they were treated," said Jon Schoenhorn, the Hartford lawyer who is representing the students in federal court.

The criminal charges against at least two of the students have been "nolled" in Superior Court in Meriden, which means they will be dismissed after a year unless prosecutors reopen the case. Saliture returns to court on Jan. 10, along with his friend, Yusuf Qasim, a business major from Manalapan, N.J., who is the first in his family to attend college.

The other two dismissed students involved in the suit are Anthony Falangas, a business major from Wakefield, Mass., and Michael Solebello, a business major from Ocean Grove, N.J.