

HOLY CROSS

Student Handbook Community Standards 2026-2027

COMMUNITY STANDARDS PROCESS AND PROCEDURES

By enrolling at the College of the Holy Cross, students agree to abide by all College policies, procedures, rules, requirements and catalogs, including (but not limited to) those outlined in this document. The College retains the right in its sole discretion to revise, in whole or any part, the provisions of this document, to change or delete any existing rule, policy, or procedure or add any new rules, policies, or procedures at any time and without notice. Any changes implemented by the College are effective when made unless specified otherwise. This document supplements the College catalogs. It is not a complete statement of rules, regulations, policies, or procedures, nor does it contain a complete list of programs, services, or policies.

It is also important to note that the College may make changes of any nature at any time and from time to time to its educational services and activities, working and living environment, offerings, events, services, activities, calendar, schedule, standards, policies, requirements, rules, and procedures whenever the College deems it necessary or desirable, as determined by the College in its sole discretion. This may include (but is not limited to) changes to modes or methods of delivery of education and activities (including hybrid and remote), modifying, suspending, canceling, or rescheduling any or all activities, services, and events, whether on or off campus, and requiring compliance with new, additional, or modified community standards, policies, procedures, or rules intended for the protection of health and safety, in any such case giving such notice as is reasonably practicable under the circumstances. All students and families are encouraged to review the College's published refund policy.

To enter the College of the Holy Cross is to accept an invitation to participate in the growth and development of a "community marked by freedom, mutual respect and civility." Students subscribe to particular responsibilities as a condition of membership in this community. This includes a willingness to adhere to high behavioral standards in an effort to create and maintain an environment conducive to open dialogue about basic human questions fundamental to a liberal arts education in a Jesuit tradition. Respect for the dignity, integrity, well-being and property of others is essential to the Holy Cross community. The College of the Holy Cross expects that all students will obey the law and abide by the policies, procedures, rules, and requirements of the College.

The College's *Community Standards Process and Procedures* were established to address certain allegations of student misconduct, in addition to other College grievance procedures. This process aims to protect all community members and educate students about the institution's behavioral expectations and about making healthy and safe decisions that align with one's goals and interests, while providing opportunities for growth and personal development. Students also have certain rights that are subject to each student's compliance with, and are qualified by, all applicable policies, procedures, rules and requirements of the College and applicable law, as the same may be amended or modified from time to time. These rights include:

- Access to ideas, facts and opinions, the right to express ideas and discuss ideas with others.
- Expression of opinion, which includes the right to state agreement or disagreement with the opinions of others and the right to an appropriate forum for the expression of opinion.
- Freedom from any unreasonable search of personal spaces in accordance with applicable law.

Any student who is alleged to have violated the College's Community Standards is entitled to specific rights. This includes the right to be informed of charge(s) related to the alleged misconduct; the right to adequate time to respond to the charges; the right to hear information in support of the charges; the right to present information against the charges; and the right to a fair process, in each case as set for in the *Community Standards Process and Procedures*. Egregious and or repeat conduct violations may result in suspension or dismissal. These rights do not establish any contractual right or obligation.

Authority and Jurisdiction

The terms and conditions of this document govern student behavior that occurs on College property and/or during any College-sponsored programs, events or activities, on or off campus or in remote format, in any manner or media (e.g. study abroad activities). It also governs behavior that occurs off campus when a behavior may have, or has had, an adverse impact on the College, the larger Worcester community, any current or future individual community member, and/or the College's reputation. The terms and conditions outlined herein also apply to any/all student organizations to include (but not limited to) clubs, athletic teams, club sports teams, performance groups, peer educator groups, student government or in associations of which two or more of the members are enrolled at the College, whether or not the organization is formally recognized by the College. The purpose of these proceedings is to provide a fair evaluation of a student's responsibility for violating college policy. Rules of evidence ordinarily found in legal proceedings are not applied, nor shall deviations from prescribed procedures necessarily invalidate a decision, unless significant prejudice to a student or the College may result.

Under the direction of the Vice President for Student Development and Dean of Students (also referred to as the "DOS"), the Associate Dean for Student Engagement and the Director of Community Standards (also referred to as the "Director") has the responsibility to administer the *Community Standards Process and Procedures* as a response to all allegations of student misconduct except when other procedures apply including, but not limited to, the following:

- Any matter pertaining to academic integrity and/or academic misconduct.
- Allegations of sexual and/or gender-based harassment and/or violence. Please see the Sexual Misconduct Policy and the Interim Equal Opportunity and Discriminatory Harassment Policy;
- Allegations of discrimination and harassment on the basis of race, religion, color, national origin, age, veteran status, disability, or genetic information, sex, sexual orientation, gender identity, or expression, pregnancy, marital or parental status and sexual harassment, sexual violence, other inappropriate sexual contact, relationship violence, stalking, sexual exploitation, and retaliation to the extent that those concerns are not required to be addressed under Title IX and the Sexual Misconduct Policy. Please see the Interim Equal Opportunity and Discriminatory Harassment Policy.
- When allegations in a matter indicate that there may be one or more possible violations of any other policy, process, rule or requirement of the College in addition to an alleged violation of the Community Standards, the DOS or Director will review such material and consult with the Director of Equal Opportunity and Title IX Coordinator or other appropriate College officials, as appropriate, to determine if there are any alleged violations of any other policy, rule, procedure or requirement. In these situations, the resolution procedure may follow another policy or process to determine whether such other alleged violation(s) took place in addition to the alleged violation of the Community Standards or may be addressed separately as determined by the DOS or Director.
- Other matters where authority to address a matter is set forth in another policy, procedure or process or where authority has been delegated to college administrators, faculty members, committees, and organizations (such as enforcement of scholarship or other program requirements).

Discretionary responsibility for handling extreme cases, where such action is essential to maintaining the orderly processes of the College, is retained by the DOS or designee except with respect to allegations that

are required to be addressed pursuant to the Sexual Misconduct Policy or other policies or procedures pursuant to applicable law. The DOS may impose conditions on a student's continued relationship with the College before, during, and/or after the conclusion of any Community Standards proceeding. The College's *Community Standards Process and Procedures* is reviewed regularly to ensure congruence with the needs and interests of the campus community.

Delegation. Where any College official or employee is listed as the designated point of contact for any role set forth in this document, they may designate another College official or employee to assume the role at issue, as necessary and appropriate.

Accommodations for Individuals with Disabilities

Any student seeking an accommodation must make their request to the Office of Student Accessibility Services. It is the sole responsibility of the student to notify the director in writing that they intend to consult with the Office of Student Accessibility Services regarding their participation in the Community Standards process. This written notification to the director must be made as soon as possible. Failing to provide such notice does not preclude the Community Standards process from proceeding in accordance with established procedures and timelines, nor does it constitute bases by which a modification of the process and/or related findings be made.

Advisors

A respondent and/or complainant may have a single advisor with them at any Community Standards proceeding. An advisor must be a College student or employee that plays no other role in the matter (e.g. incident witness). The role of an advisor is limited. The advisor is not permitted to address a decision-making body or otherwise speak or communicate in any manner on behalf of a student. Rather, an advisor is able to support the student and provide any guidance that the student may request. Violations of these guidelines may result in the advisor being removed from the Community Standards proceeding. Accommodations (e.g. scheduling and availability) are not made for the advisor. The College reserves the right to take appropriate action regarding any advisor who disrupts the process or who does not abide by the stipulations outlined above.

Recordings

Selected Community Standards proceedings (not private deliberations) may be recorded for sanctioning and/or appellate purposes. Recordings, notes, and all materials related to a case are, and remain, the sole property of the College. Participants are prohibited from making their own recordings and/or duplicating (or attempting to duplicate) any recording. An appellant may request to review an audio recording by contacting the director in writing. The review must occur on College property and is available only to the appellant and their advisor.

Definitions

Appellate body means any person or persons authorized by the DOS to conduct a review of a Community Standards decision in accordance with the prescribed appellate process.

Business day means any day, Monday through Friday, that the College is open.

Community Standards administrator is a College official trained and authorized to facilitate a Community Standards proceeding and/or to impose sanctions or affect other remedies as appropriate. This may be a student or an employee. This term may be used interchangeably with "hearing officer."

Complainant means any person who is alleged to have been subject to another student's misconduct. If the complainant is a Holy Cross student, that student will have the same rights as are provided to the respondent. If there is no student complainant, the College may be the complainant.

Respondent means **any** student alleged to have violated the College's Community Standards.

Students are any person who has accepted an invitation of admission to the College, enrolled in any College course(s), not currently enrolled in any College course(s) but who has an ongoing relationship with the College (e.g. students on a voluntary, temporary leave with an intent to return, students on an involuntary leave and/or who were disciplinarily withdrawn but who are provided with conditional eligibility to return).

Student organizations include, but are not limited to clubs, athletic teams, club sports teams, performance groups, peer educators, student government, or associations in which two or more of the members are enrolled at the College, whether or not the organization is formally recognized by the College.

Witnesses are someone who has direct knowledge of an incident. Statements providing for character testimonies, in person or in writing are not part of the Community Standards process.

Disciplinary Records

Disciplinary files maintained by the Office of Community Standards or the Office of Title IX & Equal Opportunity are considered student education records and are governed by the Family Educational Rights and Privacy Act of 1974 (FERPA). These records are disclosed as permitted and required by law. The College maintains disciplinary records of *College Suspension* for a period of ten years, following a student's original or actual graduation year, whichever is most recent. Disciplinary records of violations resulting in *College Dismissal* are maintained permanently. These records are disclosed as permitted and required by law.

External third parties such as institutions of higher education and professional schools for which a current or former Holy Cross student is seeking admission often request dean certifications. Such certifications are also commonly referred to as "*common application college reports, certifications, transfer college reports, character reference forms, and background check forms.*" It is the College's ordinary practice (with the student's written consent) to comment on student disciplinary history only if there is a record of *College Suspension* or *College Dismissal*. Disciplinary records may be shared internally within the College as may be deemed necessary. The College does not comment on questions related to student character or fitness.

Institutional Action While Criminal Charges Are Pending

When a student is arrested, or is otherwise subject to criminal charges, the student is required immediately to report this information to the Office of Community Standards. Students may be accountable both to civil authorities and to the College for acts that violate the law or the College's Community Standards or other College policy, rule or regulation. Disciplinary action at the College may proceed while criminal proceedings are pending and is not subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced. In addition, the College may place a student on an interim suspension in certain circumstances if the College chooses to defer disciplinary action, pending the resolution of a criminal complaint.

Interim Restrictions

Short of an interim suspension, or separation from campus it may be necessary to restrict a student from certain activities or privileges pending the resolution of a disciplinary matter. Students may be restricted from campus housing, particular college spaces, or activities. Staff may communicate immediate notification of interim restrictions verbally and then in writing. The altered privileges shall remain in effect until a decision has been made regarding the matter under review or until the staff member determines that the reason for imposing the restriction no longer exists. Student non-compliance with an interim restriction can result in the imposition of an immediate interim suspension, dismissal, or other sanction. Interim restrictions are not subject to appeal.

Interim Suspension

When it is considered necessary, the DOS, the director, or their designated representatives may suspend a student from the College on an interim basis when the reported conduct or circumstances may present a threat to the health, safety, or well-being to one or more members of the College community, or a significant potential disruption to College operations. An interim suspension may be communicated to a student verbally, before being provided in writing. Interim suspensions may be effective immediately. The appropriate College authorities shall be notified of the interim suspension. In the case of interim suspensions imposed as a result of criminal charges, the suspension may remain in effect until the matter is resolved through the court. The DOS or director may review an interim suspension and adjust the restriction based upon other relevant facts and circumstances, as determined in their sole discretion. Students on an interim suspension may not participate in any college sanctioned events or activities, register for class or participate in the room selection process. An interim suspension is not subject to appeal.

Interpretation

The purpose of publishing the *Community Standards Process and Procedures* is to give students general notice of prohibited behavior. They are not written with the specificity of a criminal statute. Any question of interpretation regarding these disciplinary procedures shall be referred to the Director of Community Standards for consideration.

Modification of Community Standards Procedures

The College retains the right to determine, in its sole discretion, if it will address a report of misconduct outside of these procedures when there is significant risk for the safety and wellbeing of any participant. The timely resolution of allegations that surface at specific points in the academic year (e.g. summer and winter intercessions, shortly before the end of classes and/or commencement exercises) may also require modification of otherwise normal practices. Sanctions are not limited to what are noted in this document, unique circumstances may require actions beyond what is detailed in this document.

No Contact Directive

A No Contact Directive may be imposed where it is determined that a student poses a potential threat to another, to maintain good order and/or to prevent escalation of an existing conflict. Such a directive does not indicate that a violation of College policy has occurred. These directives are generally reciprocal, specific to persons and/or locations, and prohibit students from having any direct or indirect contact with one another and/or with any number of individuals under any circumstances. Failure to comply with the terms of a No Contact Directive may result in an interim removal from campus property and/or *College Suspension* or *College Dismissal*.

Parents/Families and Attorneys

Only procedural questions may be discussed with a family when a Community Standards matter is pending. All questions or concerns (written or verbal) from one or more individuals acting in the capacity of an attorney are referred to the Office of the General Counsel. All substantive questions, concerns, or comments concerning student discipline, as well as any written correspondence, including the filing of an appeal, must come directly from the student(s) involved. Attorneys may not attend any student disciplinary meetings. Families are also prohibited from such meetings.

Standard of Proof

The standard, or basis, for findings refers to the standard of proof that is used to assess if a student has violated a College policy. The basis for findings used during Community Standards proceedings is a preponderance of the evidence or “more likely than not” standard.

Withdrawal of Complaints

A complainant may request in writing to the director that a complaint be withdrawn. The request shall be measured against the interests of the larger College community. If it is appropriate that the matter proceed, the College reserves the right to assume the role of the complainant.

Withdrawal and Readmission

Information regarding student leaves and withdrawals is detailed in the College catalog. In the event a student voluntarily withdraws from the College while a Community Standards matter is pending, the appropriate class dean will be notified. The student shall not be permitted to re-enroll until the matter has been satisfactorily resolved. In cases when a student has withdrawn from the College with a disciplinary issue pending, the Dean's Clearance form will indicate: *Withdrawn with disciplinary charges pending*.

REFERRALS AND RESOLUTION OPTIONS

Any individual may make a complaint and/or submit a referral alleging student misconduct. Individuals may access an online referral on the department webpage, and/or may contact the Office of Community Standards directly to make a referral via phone or in-person. A referral should, minimally, include the following information:

- The name(s) of the involved student(s) including any witnesses.
- A statement explaining the nature and circumstances of the incident.
- The name and contact information of the individual(s) submitting the referral.

The Director retains sole discretion to determine the appropriate resolution venue unless otherwise indicated. The DOS retains discretionary responsibility for handling extreme cases, where such action is essential to maintaining the orderly processes of the College.

Students are encouraged to participate in the Community Standards process. If a student chooses not to participate, the designated Community Standards administrator and/or resolution body may proceed and make a determination without the student's input. Written notification of findings, will be provided to the student.

Initial Meeting

Initial meetings allow for a conversation to gather additional information from individuals believed to have direct knowledge of incidents under review. This meeting does not constitute formal action and is not an indication that there has been a violation of the College's Community Standards.

Notification of Administrative Charges, Findings and Sanctions

Students who are alleged to have violated the College's Community Standards will receive written notification (electronic) of the following:

- Incident date, location (if known), and brief incident description
- Alleged Community Standards violation(s)
- Resolution venue, date, time, and location

Resolution Venues

Formal Hearing: A formal hearing is a meeting between a single administrator and a student to adjudicate a pending matter. The selected administrator determines administrative findings and assigns any/all applicable administrative sanctions.

Community Standards Hearings: Hearings are typically more formal. A hearing panel determines findings, unless a respondent chooses to waive their right to a hearing by accepting responsibility for the violation(s). Sanctions (when applicable) are determined by a sanctioning officer.

Alternate Dispute Resolutions: In certain instances, the Director may permit disputing parties to resolve a

pending matter via informal means (e.g., mediation or restorative justice conference). All parties must be amenable to such a process. Resolution is achieved when all involved parties are in mutual agreement that the matter has been satisfactorily addressed. Appropriate documentation supporting the resolution may include a letter from the Director and/or facilitator(s) to the involved parties outlining the agreed-upon terms.

Possible outcomes, regardless of resolution venue, include the following :

- A case is held for further review. This may also result in the designation of a different resolution venue.
- One or more charges are withdrawn and a case may be closed.
- A determination is made as to whether a student is “in violation,” or “not in violation”.
- A sanction is rendered when a violation is found.

Community Standards Hearing Procedures

A respondent and/or complainant has the right to meet with the Director prior to a hearing, to review any procedural questions and/or information that is the basis of the allegation(s). This is not a requirement and must be initiated in writing by the student to the Director. Relevant case materials are made available to respondents, complainants and involved Community Standards administrators ahead of the hearing. Additional materials may be submitted to the Director no later than 48 business hours prior to a hearing. The Director may adjust this timeline as appropriate. If any party associated with a hearing suspects any conflicts of interest, they must immediately notify the Director in writing. Hearing officers determine the relevance of information and/or questions submitted during the hearing as well as whether or not witnesses are permitted into the hearing. Hearing officer(s) also exercise control over the proceedings, to avoid needless consumption of time and to achieve orderly completion of the hearing. Hearing officers may pause the hearing at any time, may exclude any individual(s) who may be disrupting the hearing and have final authority on all procedural matters during the hearing. The hearing officer(s) may consult with the Director regarding procedural matters at any time.

Order of the Community Standards Hearing

1. Reading of the complaint.
2. Opening statement of the charged student.
3. Presentation of the complainant’s case, including presentation of witnesses.
4. Questions of the complainant by the hearing board members.
5. Questions of the complainant when present by the accused presented through the Chair.
6. Presentation of the accused student’s case, including presentation of witnesses.
7. Questions of the accused by the hearing board members.
8. Questions of the accused by the complainant when present, presented through the Chair.
9. Closing statement by the complainant.
10. Closing statement by the accused.
11. Adjournment

Determination of Sanctions

If a hearing yields one or more finding(s) of “in violation,” the sanctioning administrator determines appropriate sanctioning. The sanctioning administrator is a senior level administrator in the Student Development division. This process involves a review of the nature of the violation(s), any mitigating and/or aggravating factors and any existing respondent disciplinary history. Written notification of all findings/sanctions will be provided once the sanctioning determination process is completed.

Sanctions

Below is a list of most common sanctions (other sanctions as deemed appropriate by the sanctioning officer may be used).

College Warning: Formal notice that one or more behaviors constitutes a violation and that any additional violations may result in further institutional action.

Residence Hall Probation: Notice that the student is not in good standing in the residential community and the student is expected to demonstrate their willingness to follow residence hall policies. Any future violations can jeopardize their ability to reside in campus housing.

Residence Hall Suspension: Separation of the student from living on-campus for a period of time, after which the student is eligible to return. Conditions for readmission may be specified. Students suspended from the residence halls for disciplinary violations do not receive pro-rated refunds for room and board.

College Probation: Notice to the student that they are not in good behavioral standing at the College. After a defined period of time in order to return to good standing, the student must petition the director in writing illustrating the actions they have and will undertake to ensure that they will abide by College policies. College Probation may impact their ability to participate in various College programs, leadership roles or activities. Any violation by a student while on probation will likely result in College Suspension.

College Suspension: College separation for a period of time, generally no less than one full semester. During a suspension students may not be on the campus, or participate in any College sponsored program, activity or event. Students who are suspended forfeit the credits of the semester within which the suspension is effective and must complete all requirements prior to petitioning for re-enrollment.

College Dismissal: Permanent separation from the College.

Deferred Action: Probations, Residence Hall Removal, and College Suspension may be deferred with the expectation of compliance with other requirements and good behavior.

Alcohol and/or Drug Education: Students may be required to complete an educational assignment related to alcohol and/or other drug use. This may include an online course, in-person workshops or off-campus substance use counseling.

Community Restitution: Students may be assigned restitution hours in which they provide uncompensated service to local community agencies or campus offices.

Loss of Privileges: The restriction of specified privileges for a defined period of time (e.g., guests, residence hall visitation, co-curricular activity, etc.). This also includes restricting participation in College sponsored events.

Fines and/or Restitution: Compensation for disruption, loss, damage or injury: This may take the form of appropriate service, monetary, or material replacement.

Educational Project: Research and/or reflective exercise designed to help the student reflect on the incident.

Residential Relocation: Relocation from one on-campus residence hall room and/or building to another.

Residence Hall Weekend Suspension: Requirement that students return home for a defined number of weekends.

Revocation of Off-Campus Living Permission: Students may have their permission to reside off campus revoked

for serious neighborhood disturbances and or safety violations. In these circumstances students will return to on-campus housing at their expense, regardless of the financial impact of lease obligations, or move to another housing arrangement approved by the College.

Appeals

Students found in violation of any community standards violations, may appeal. All appeals shall be submitted in writing within five business days after receipt of a finding letter. Appeals will only consider one or more of the following purposes:

- A. The Community Standards process was not followed as detailed in these procedures.
- B. The sanction(s) imposed were not appropriate for the violation(s) of the College's Community Standards.
- C. New information that was unknown at the time of the hearing was unknown, and would have likely altered the outcome of the finding(s).

If an appeal is granted, the appellate officer has the right to make the following decisions:

- A. Review and alter a sanction at their discretion.
- B. Remand the matter to a new hearing body for a new hearing.
- C. Remand the matter back to the original hearing body for additional review.
- D. In rare occasions the appellate officer may direct the hearing administrator to alter the charges, hearing venue or finding of the hearing body.
- E. Refer the matter to alternative dispute resolution.

Prohibited Behaviors

Students are expected to abide by all College policies, rules, and abide by state and federal law. The Director determines what constitutes a potential violation and specific violation(s). The following list of behaviors represent prohibited conduct. Although the list covers most violations, it is not exclusive, and the College may determine potential violations in novel cases. Attempted violations may also be considered as prohibited behaviors.

Abuse of the Community Standards Process and Procedures

Examples include, but are not limited to, the disruption or interference with the orderly conduct of any Community Standards proceeding, falsification, distortion, or misrepresentation of information to any administrator, influencing another person to distort, provide false information or otherwise be dishonest, discouraging, intimidating and/or retaliating against any individual because of their participation in, the Community Standards Process and Procedures, prior to, during, and/or after a proceeding.

Alcohol and Drugs

Any violation of the College's Alcohol and Drug Policy.

Arson / Starting a Fire

This includes, but is not limited to, lighting or attempting to light, burn or char any object. Students, both on and off campus may not have fires or firepits. Grills and barbecues are not permitted by students. Public campus grills are available to reserve by residential students.

Complicity

Cooperation, participation in, or otherwise assisting with a violation of any college policy. Students who anticipate or observe a violation are expected to remove themselves from association or

participation and are encouraged to report the incident. This may include misconduct taking place within student organizations.

Disruptive and/or Disorderly Behavior

Many behaviors can be disruptive and or disorderly. These may include lewd acts such as public urination or indecent exposure, failing to disperse when directed, disrupting the educational and or residential community through excessive noise, hosting large parties with loud music, etc.

Students may not obstruct the free flow of other individuals about the campus, or block egress or access to any College building.

Endangering Behavior

Conduct that threatens or endangers the health or safety of oneself or any person. This includes, but is not limited to unsafe operation of a motor vehicle, hosting a gathering that is overcrowded and/or unsafe, gaining access to restricted spaces, roofs, balconies, or ledges, or climbing campus structures or walls.

Failure to Comply

Students are expected to comply with reasonable directions from all campus faculty and staff. This includes student employees providing supervision and or direction as part campus employment role. Students are expected to follow any special directives they have received as part of their involvement in College activities and programs to include College sponsored activities and trips. Students must also complete required educational modules and any disciplinary sanctions.

False Information

Students are expected to be honest in their dealings with the College officials. The College's Academic Integrity Policy is detailed in the College Catalogue. In addition to academic dishonesty, it is a violation to provide false information and or misrepresentation by way of forgery or alteration of College documents, such as a transcript, grade, recommendation, or electronic communication, using another identity, presenting or using a false identification, or using another student's student id card.

Gambling

Students are expected to abide by Massachusetts state laws regulating gambling.

Abuse

Verbal, physical, and harassing behaviors are prohibited. Verbal abuse may include threats, intimidation, or repeated verbal attacks. Physical abuse includes assaulting or attempted assault of another individual. Harassing behavior is the severe or repeated use of a written, verbal, or electronic expression, directed at another individual that has the effect of placing the individual in reasonable fear of harm to the individual and/or the individual's property; or infringing on the rights of other community members to fully participate in the programs and activities of the College. Each report or incident will be reviewed to assess whether the behavior meets this standard, not every offensive act constitutes harassing behavior and/or a violation.

Hazing

Hazing is prohibited by College policy, Massachusetts law, and federal law. Hazing refers to any activity expected of someone joining a group (or to maintain full status in a group) that humiliates, degrades, or risks emotional and/or physical harm, regardless of the person's willingness to participate. Hazing activities are generally considered to be physically abusive, hazardous, and/or sexually violating. The specific behaviors or activities within these categories vary widely among participants, groups, and settings. While alcohol use is common in many types of hazing, other examples of typical hazing practices include:

- Personal servitude;
- Sleep deprivation;
- Restrictions on personal hygiene;
- Forced isolation;
- Yelling, swearing, and insulting new members/rookies;
- Being forced to wear embarrassing or humiliating attire in public;
- Public nudity;
- Consumption of vile substances;
- Brandings and other forms of physical harm;
- Binge drinking and drinking games;
- Sexual simulation and sexual assault.

For such activities to be considered hazing, forced or mandated participation is not required. New members/rookies often feel the need to endure subtle hazing to feel like part of the group or team. If a new member feels that he or she will not be considered a fully participating member of the group or feels that they would be ostracized for not participating in particular behaviors (for example, alcohol use), then such implied coercion would be considered hazing.

Behaviors that emphasize a power imbalance between new members/rookies and other members of the group or team are termed “subtle hazing” because these types of hazing are often taken for granted or accepted as “harmless” or meaningless. Subtle hazing typically involves activities or attitudes that breach reasonable standards of mutual respect and place new members/rookies on the receiving end of ridicule, embarrassment, and/or humiliation tactics. Examples include:

- Deception
- Implied requirement to participate in illegal or dangerous activities
- Silence periods with implied threats for violation
- Deprivation of privileges granted to other members
- Requiring new members/rookies to perform duties not assigned to other members
- Socially isolating new members/rookies
- Line-ups and drills/tests on meaningless information
- Requiring new members/rookies to refer to other members with titles (e.g. “Mr.,” “Miss”) while they are identified with demeaning terms
- Expecting certain items to always be in one’s possession

“Harassment hazing” involves behaviors that cause emotional anguish or physical discomfort in order to feel like part of the group. Harassment hazing confuses, frustrates, and causes undue stress for new members. Examples include:

- Verbal abuse, threats or implied threats
- Asking new members to wear embarrassing or humiliating attire
- Stunt or skit nights with degrading, crude, or humiliating acts
- Expecting new members/rookies to perform personal service to other members such as carrying books, errands, cooking, cleaning, etc.
- Sleep deprivation
- Sexual simulations

- Confinement in a small space.
- Expecting new members/rookies to be deprived of maintaining a normal schedule of bodily cleanliness
- Being expected to harass others

“Violent hazing” includes behaviors that have the potential to cause physical, emotional, and/or psychological harm. Examples include, but are not limited to:

- Forced or coerced (explicit or implied) alcohol or other drug consumption
- Branding, burning, beating, paddling, or other forms of assault
- Forced or coerced ingestion of food, liquid, vile substances or concoctions
- Water intoxication
- Expecting abuse or mistreatment of animals
- Public nudity, bondage/abductions/kidnaps
- Expecting illegal activity
- Exposure to cold weather or extreme heat without appropriate protection
- Striking
- Electronic Shocking
- Whipping
- Placing of a harmful substance on someone’s body
- Extreme calisthenics or other similar activity.
- Causing, coercing or otherwise inducing a person to perform sexual acts.
- Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct.

In addition to College policy, students are expected to adhere to Massachusetts law on hazing: Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than \$3000 or by imprisonment in a house of correction for not more than one year, or both. The term “hazing” as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.” **M.G.L. c. 269 Section 17.**

Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such a person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.” **M.G.L. c. 269 Section 18.**

A student organization means an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band or student government) in which two or more of the members are enrolled at the institution, whether or not the organization is established or recognized by the institution.

Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is

recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section, sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization to deliver annually, to the institution, an attested acknowledgement stating that such group, team or organization and each of its members, applicants, plebes, or pledges have received a copy of, understands, and agrees to comply with, the provisions of this section and sections seventeen and eighteen. Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually and before or at the start of enrollment, deliver to each person who enrolls as a full-time student in such institution a copy of this section and sections seventeen and eighteen. Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full-time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution that fails to make such report. **M.G.L. c. 269 Section 19.**

*Harassment based upon race, religion, color, national origin, age, veteran status, disability, or genetic information, sex, sexual orientation, gender identity, or expression, pregnancy, marital or parental status and sexual harassment, sexual violence, other inappropriate sexual contact, relationship violence, stalking, sexual exploitation, and retaliation are addressed by the Office of Title IX and Equal Opportunity. Please contact the Director of Title IX and Equal Opportunity (ddebobes@holycross.edu) to discuss any concern.

To report hazing or another concern visit : <https://www.holycross.edu/community/safety-security/make-a-report>.

Misuse of Fire Safety and/or Safety or Security Equipment

Intentionally discharging a fire extinguisher when there is not a fire, pulling or causing a false alarm, or otherwise tampering with a fire alarm and/or fire extinguisher are serious offenses and also constitute a violation of law. Misuse may also include reckless actions that lead to a discharge of a sprinkler or fire suppression system. Students who accidentally trigger a fire alarm or smoke detector (e.g. while cooking) or have knowledge of the cause of a triggered alarm should immediately notify Public Safety.

On-Campus Living Responsibilities

Any behavior or activity that constitutes a violation of the *On-Campus Living Responsibilities* (Appendix B).

Property Damage and/ Vandalism

Damaging, vandalizing, destroying, or tampering with another's property, to include College property.

Retaliation

Behavior that may reasonably be perceived to adversely affect one's educational, living, or work environment, due

to one's participation in an investigation, and/or resolution of an alleged violation and/or discourage a reasonable person from making a report or participating in an investigation. Such conduct includes, but is not limited to, words or actions that constitute harassment, intimidation, threats, violence or coercion, to the degree that it pressures any individual to participate, not participate, or provide false or misleading information.

Theft

Attempted or actual theft or misappropriation of property, to include College property, another's identity, cash, banking or credit cards, using another student's ID to make unauthorized purchases. Possession of stolen property.

Trespass and/or Unauthorized Access

Attempted or actual unauthorized entry/occupation of any room, building, office, roof, balcony, window, structure or unauthorized access to any other College property or resource (including electronic resources). This includes being in another student's room or suite without their permission, entering a residence hall without an invitation, refusing to leave such a space when directed.

Recording without Consent Massachusetts law prohibits the secret use of a device to record other parties without first obtaining consent of the parties being recorded. Recording without consent is a criminal felony under Massachusetts law. This includes any in-person conversation, classroom lecture, phone call, and other forms of electronic communication such as facetime. Students may not misuse College resources or technology as detailed in ITS policies and user agreements. Students with disabilities may request accommodations through the Office of Student Accessibility Services.

Unauthorized Use of Computers, Telecommunications Systems and/or Electronic Files Unauthorized possession, access, misuse or abuse of any computer, computer system, service, program, data, or communication network, especially as defined on the [ITS webpage](#).

Violation of Other College Policies, Procedures, Rules or Agreements

Students are expected to follow all College policies, procedures, rules or agreements. Primary enforcement and oversight of office, building, department or program policies is retained by the responsible department, however, egregious and or repeated violations may be referred for community standards resolution. Students should be familiar with all policies including, but are not limited to those overseen by the bookstore, student development, mailroom, dining, libraries, parking, campus recreation, athletics, study abroad, academic affairs, and ITS.

Violation of Law

Students are expected to be law abiding. When the College becomes aware of an arrest or a report of charges for an alleged violation of law, it will follow the procedures outlined in the **Institutional Action While Criminal Charges Are Pending** section of this document.

Weapons and/or Other Dangerous / Restricted Items

Weapons are not permitted on campus, or at any sanctioned campus event. The use, possession, manufacturing, or distribution of firearms, ammunition, and/or any others weapons or facsimile of weapons including, but not limited to, bows, BB guns, paintball guns, pellet and soft air guns, martial arts weapons, swords, brass knuckles, tasers, drones, slingshots, or other projectile or launching devices are prohibited. This prohibition also extends to fireworks, gunpowder, explosives, incendiary devices, any dangerous chemicals or gasses, large and small propane tanks, and lighter fluid. Students may not possess non-culinary knives such as any sheathed blades, hunting or buck knives, butterfly or novelty knives. Students may use/possess culinary knives for food preparation and standard table flatware knives with one blunt and one sharp side.

ALCOHOL AND DRUG POLICY

The College of the Holy Cross is committed to compliance with all local, state, and federal laws and regulations governing and/or prohibiting the use, possession, purchase, service, sale, and distribution of alcohol and other drugs. The College expects the same of its students. Accordingly, this policy is intended to provide students with important information relating to standards of conduct, sanctions for violation of federal, state, and local law and campus policy, health risks associated with alcohol and drug use, and available treatment options.

The majority of offenses committed against people and property at the College of Holy Cross directly involve the use or abuse of alcohol and/or other drugs. The College recognizes that a problem exists when one's use of substances causes physical or emotional harm, impairs one's judgment, infringes on the rights of others or interferes with one's work, relationships, or daily life. The College is committed to providing educational and counseling services aimed at prevention, intervention and treatment of problems. Alcohol and other drug use is a significant issue both in society and at the College. The inappropriate use of alcohol and other drugs by anyone of any age can seriously threaten the health and safety of members of the College community, as well as impair the academic performance of students and negatively affect the Holy Cross and Worcester communities.

Holy Cross is committed to reducing and preventing substance-related problems within the community. Several on-campus services are available for students during the regular academic year and on a limited basis during breaks. Students may access alcohol and drug information, counseling, and obtain referrals to appropriate off campus resources by visiting the Counseling Center, the Office of Student Wellness Education, Health Services and the Chaplains' Office. Students are encouraged to explore their decision-making with respect to drinking behavior and reflect on personal choices that may affect their health, well-being, and overall standing within the College and the Greater Worcester Community. Students should take into consideration personal risk factors such as:

- Family history
- Medical condition/circumstances, including interactions with other medications and/or effect on anxiety, depression, or other mental health conditions
- Personal tolerance

Students should also consider the consequences of excessive drinking (e.g., negative effects academic performance, increased chances of unwanted or risky sexual behavior, increased chances of personal injury, violation of the College's *Community Standards Process and Procedures* or Massachusetts law and associated penalties). Students who have questions regarding the foregoing of alcohol or other substances and their potential effects should contact the following on-campus, confidential resources for information regarding counseling, treatment or rehabilitation options:

Counseling and Psychological Services (Confidential)

Phone: (508) 793-3363

Campus Location: Hogan 207

Health Services (Confidential)

Phone: 508-793-2276

Campus Location: Immediately Adjacent to Loyola Hall

Chaplains' Office (Confidential)

Phone: 508-793-2448

Campus Location: Campion House

Office of Student Wellness Education (Private, Not Confidential)

Phone: 508-793-2302

Campus Location: Ciampi-Condron Hall

Health Risks

The use of illegal drugs and the abuse of alcohol may have serious effects on the health and safety of students and may seriously interfere with a student's judgment, academic performance, and interpersonal relationships. A summary of the uses and effects of alcohol and other drugs follows.

Any time alcohol or other drugs are used, the risk for health problems and/or impairment problems increases. These problems can cause personal harm, injury or even death. Impaired judgment increases the likelihood of an individual becoming aggressive and/or violent. The possibility of civil or criminal prosecution and liability increases. The use and abuse of substances can be linked to compromised academic success. It may also lead to unsafe and /or non-consensual sex, both of which increase the risk of sexually transmitted infections (STIs) including HIV and an unplanned pregnancy.

Alcohol

- As a depressant, alcohol causes a feeling of relaxation in small amounts.
- In larger amounts, alcohol will cause intoxication, and will lessen inhibitions. When the brain is affected, motor skills, judgment, alertness, coordination and reflexes can all be compromised.
- Increased quantities will cause the body to give signals that toxicity has occurred including vomiting, passing out, hangovers and memory loss.
- People under the intoxicating effects are at greater risk for accidents, fights, and driving while impaired.
- Alcohol mixed with other drugs (legal or illegal) will alter the effects of that drug often causing an increased risk that the individual will become ill or hurt.
- People who drink heavily risk developing an increased tolerance. When this happens, consumption of a constant amount of alcohol produces a lesser effect so that an increasing amount is needed to produce the same effect.
- Substance abuse is characterized by a failure to meet obligations, putting oneself in dangerous situations, and continuing to drink despite persistent problems.
- Substance dependence is characterized by an increased tolerance, withdrawal symptoms, large amounts of time spent obtaining alcohol, and unsuccessful attempts to reduce one's drinking.
- Consistent and frequent use of alcohol can cause health problems including high blood pressure, increased memory loss, digestive and liver problems to develop.

Narcotics

- There is often an initial euphoria followed by drowsiness and nausea.
- Users will have constricted pupils, watery eyes and a dazed look.
- An overdose of a narcotic will produce slow, shallow breathing, clammy skin, loss of appetite and weight, and possible death.

Depressants (Barbiturates, Tranquilizers)

- The initial response by the body is relaxed muscles, calmness, and drowsiness.
- This will follow with confusion, disorientation and slurred speech.
- An overdose of a depressant may produce shallow breathing, clammy skin, weak and rapid pulse, coma and possible death.

Rohypnol

- Commonly used in the perpetration of sexual assaults.
- May result in incapacitation when mixed with alcohol
- Individuals may not remember events they experienced while under the effects of the drug.
- May be lethal when mixed with alcohol and/or other depressants.

GHB (gamma hydroxybutyrate - also known as Liquid Ecstasy)

- Often combined with alcohol.
- Coma and seizures can often occur following abuse of GHB.
- GHB has been involved in poisonings, overdoses, date rapes, and deaths

Ketamine (Special K)

- Can cause dream-like states and hallucinations
- A commonly used date rape drug
- At high doses, Ketamine can cause delirium, amnesia, impaired motor function, high blood pressure, depression, and potentially fatal respiratory problems.

Stimulants (Cocaine, Methamphetamine)

- The initial response includes an increased heart and respiratory rate, elevated blood pressure, and decreased appetite.
- This will follow with blurred vision, dizziness, insomnia, and anxiety.
- High doses can cause physical collapse, irregular heartbeat, stroke, and possible death.

Hallucinogens (LSD, PCP, Mushrooms)

- The initial response will be illusions and hallucinations.
- This will follow with confusion, panic, anxiety, depression, and poor perception of time and distance.
- Risks include respiratory failure and deaths due to drug influenced behavior.

Cannabis (Marijuana, Hashish, THC products)

- The initial response will include feelings of euphoria, giddiness and increased appetite.
- This will continue with increased heart rate, bloodshot eyes, dry mouth and throat. Often the user will have a feeling of paranoia.
- Use interferes with memory, speech, coordination, and the perception of time.
- Marijuana is known to be consumed in a number of ways including, but not limited to, smoking, vaporizing, ingestion of edibles, and through use of oil-based extracts or topical creams.

Anabolic steroids

- Steroids are synthetic substances similar to the male hormone testosterone, and are used to build muscle mass.
- Abuse of anabolic steroids may lead to serious health problems such as kidney problems or failure, liver damage, high blood pressure and changes in blood cholesterol and mental health problems.

Opioids (heroin, opium and pain relievers with an origin similar to that of heroin):

- Can cause euphoria, drowsiness; impaired coordination; dizziness; confusion; nausea; sedation; slowed or arrested breathing; death.
- Prescriptions used non-medically may lead to overdose deaths.

Good Samaritan Policy

The College recognizes that there may be alcohol or other drug-related safety concerns, medical emergencies, and/or behavioral concerns in which the potential for disciplinary action could act as a deterrent for students who wish to seek help in the interest of their own safety and that of others. The Good Samaritan Policy allows for students and their guests to seek such assistance from College officials including, but not limited to, Public Safety and/or Residence Life staff, without the consequence of institutional action for violation(s) of the Alcohol and Other Drug Policy. Only in situations where a good faith report is made to a College official will the Good Samaritan approach be considered. A student who is medically evaluated for alcohol or other drug use may still be required to have a follow-up meeting with a designated College official. When appropriate, the student's parents and/or legal guardians may also be contacted. The student may also be:

- Required to complete alcohol or drug education facilitated by the Office of Student Wellness Education.
- Referred to an outside program or counselor for substance abuse evaluation and/or appropriate treatment.

Disciplinary action may still occur when a student has a repeat incident requiring medical assistance and/or when other prohibited behaviors occur (e.g., disorderly behavior, failure to comply, property damage, sexual misconduct).

Prohibited Behavior with respect to Alcohol and Drugs

The College of the Holy Cross supports the observance of all local, state and federal laws and regulations governing and/or prohibiting the use, possession, purchase, service, sale, and distribution of alcohol and other drugs. The College fully cooperates with the enforcement of all such laws and strongly urges all faculty, staff and students to become familiar with these laws and regulations and to consider the potential risks, including penalties, associated with violations. Although marijuana is legal in limited quantities for individuals who are over 21 under Massachusetts state law, it remains illegal under federal law. Federal law requires that a college or university that receives federal funds follow federal drug laws, under which marijuana continues to be a controlled substance. As the College does receive federal funds, the use, possession, cultivation, distribution, and dispensing of marijuana remains prohibited on campus or in connection with any College events, activities or programs. These prohibitions also extend to products derived from marijuana, such as edibles or oils.

Students charged with a violation of local, state or federal law, whether on or off the college premises, may be subject to disciplinary action, in accordance with the College's *Community Standards Process and Procedures*.

Behaviors that constitute a violation of the College's *Community Standards Process and Procedures* include, but may not necessarily be limited to, the following:

- Possession/use of alcohol while under the age of 21
- Possession/use of alcohol-related paraphernalia (e.g., items used for drinking games or other activities that encourage or deliver a high volume or rapid consumption of alcohol)
- Attending a gathering where alcohol is being consumed while under the age of 21²
- Possession/use of any cannabis-related product (including marijuana, edibles and oils)
- Possession/use of illegal drugs and other controlled substances, including unauthorized possession/use of prescription medication for which the student in possession does not have a valid prescription
- Possession/use of drug-related paraphernalia including, but not limited to bongs, bowls, grinders, vaporizers, hookahs, shishas, scales and pipes
- Manufacturing, cultivating, dealing, selling or distributing marijuana and other illegal or prescription drugs
- Possession of unauthorized quantities of alcohol, including, but not limited to kegs and alcoholic punches on campus (See the *Reasonable Limits of Alcoholic Beverages* section below.)

- Excessive consumption of alcohol, including drunkenness
- Providing or distributing alcohol to an individual under the age of 21
- Participation in activities, games or contests that promote irresponsible drinking and/or are otherwise designed or used to encourage or deliver a high volume or rapid delivery of alcohol
- Hosting on or off-campus gatherings where alcohol is consumed and underage persons are present
- Using a vehicle for the procurement of alcohol for underage students
- Operating a motor vehicle while under the influence of alcohol
- Violations of local and state laws and ordinances governing alcohol or drug possession or use • Consumption of alcohol in public or in unauthorized communal areas of the campus. This includes possession of an open container of alcohol, regardless of age.
- Students 21 years of age or over may only possess or consume alcohol in the following locations:
 - Their own private student room, the Hogan Pub and any other Special Event at which alcohol is expressly permitted
 - Events where alcohol possession is licensed by the City and/or otherwise approved by the College (e.g. In-stadium alcohol sales at qualified varsity athletic events)
 - Hosting or participating in an unauthorized alcohol gathering, involving, more than the maximum number of attendees (See *On Campus Living Responsibilities: Occupancy and Capacity of Rooms*), and or possession and/or use of a communal source of alcohol (i.e., keg, beer ball, punch, etc.)

Reasonable Limits of Alcoholic Beverages

The College sets the following parameters regarding the maximum amount of alcohol that each 21+ year old (student or guest) may possess, in order to promote responsible 21+ alcohol use:

- Beer: 30 - 12 Oz Cans, or Wine: 2 Bottles (750 ML each max.), or Hard Liquor: 1 Liter
(or any combination of the above, e.g., 1 bottle of wine & 15- 12 oz. cans)

Alcohol-Related Promotional and/or Commemorative Items and Related Advertising Individuals, RSOs, and/or Athletic teams are prohibited from using images of alcohol and/or related paraphernalia (e.g. beer mug, wine glass, shot glass, flasks, etc...) when promoting and/or advertising events. Events targeting, or otherwise including, students under 21 may not use these same items as favors, prizes and/or commemorative gifts either. Alcohol brand names/images may be used when promoting and/or advertising 21+ events, so long as it accompanies language about the event being 21+ only, that proper 21+ ID will be required for access as well as a statement about responsible alcohol use.

Athletic Events and Tailgating Policy

Alcoholic beverages may not be brought into athletic events. This prohibition includes intramural and club sports as well as spectators at varsity athletic contests. Tailgating is only allowed at the Premier Lot (Baseball), Freshman Field and West Lot. Tailgating is prohibited inside the Parking Garage. Attendees must adhere to all other requirements outlined in the *Holy Cross Football Tailgating Guidelines*.

Events Where Alcohol Is Served - The following guidelines apply to approved on or off-campus student events where alcohol is served:

- The typical length of time for serving alcohol is two hours. Open bars and serving shots are prohibited.
- Individuals and/or student groups, organizations and/or teams may not hold fundraising events at venues where alcohol is served unless the venue is ID-controlled for 21+ only access.
- The College reserves the right to designate separate area(s) for the serving/consumption of alcohol. The College may require wristbands, tickets, or other appropriate methods be used for identification purposes and/or for limiting drinks to a specified amount.
- Adequate amounts of food and nonalcoholic beverages must be provided commensurate with the nature, length, and size of the event and the amount of resources expended on alcohol.

- Intoxicated persons may be refused entry to and/or removed from the event.
- The College may cancel, close or otherwise prohibit any function or event which violates these conditions, applicable dining or conference services policies, Community Standards, or which otherwise pose a risk to the health and safety of members of the College community.

Pub in Hogan

Positive proof of age is required to enter the Pub when alcoholic beverages are being sold there. The Pub administrators shall have sole discretion to determine the validity of identification. The College may cancel, close or otherwise prohibit any function or event which violates these conditions, applicable dining or conference services policies, Community Standards, or which otherwise pose a risk to the health and safety of members of the College community.

Administrative Sanctions

Violations of the College's Alcohol and Drug Policy may result in any of the following administrative sanctions or a combination thereof: College Warning, Residence Hall Probation, Residence Hall Suspension, College Probation, College Suspension and/or College Dismissal; financial restitution/assessment, community service, alcohol or other drug assessment, counseling and/or education programs as deemed appropriate. Sanctions may also be deferred. Possession of unauthorized kegs or other large amounts of alcohol by any one student or group of students, regardless of age, may result in more severe sanctions. Any student determined to be manufacturing, cultivating, dealing, selling, or distributing illegal drugs or controlled substances, whether on or off campus, may be dismissed from the College. The College may conclude a student is dealing drugs or controlled substances if the student possesses a quantity of illegal drugs inconsistent with personal use and/or possesses paraphernalia indicative of distribution (scales, packaging materials, baggies, etc.). For example, the College may consider more than two ounces of marijuana or more than four grams of cocaine to constitute a quantity of illegal drugs inconsistent with personal use.

International Travel and Alcohol Use

While abroad, students must comply with all rules applicable to the program or trip abroad in addition to all local laws, customs, and norms regarding alcohol consumption. Students are expected to conduct themselves responsibly and respectfully, which includes complying with and respecting the host country's rules and traditions regarding alcohol, including legal drinking ages and social practices. Failure to adhere to these requirements may put your safety at risk, and result in serious disciplinary action by the College, including dismissal from the program or trip abroad and/or other measures.

Alcohol and Laws of the Commonwealth of Massachusetts and the City of Worcester

Commonwealth of Massachusetts

The legal drinking age in Massachusetts is 21 years. This means that individuals may legally consume, possess, transport, or procure alcoholic beverages only if they are 21 years of age or older. Generally, anyone who sells or delivers alcoholic beverages to a person under 21, engages in procurement or delivery of alcoholic beverages for such a person in a licensed establishment, or furnishes alcoholic beverages to such a person violates **M.G.L. c. 138, section 34**. This includes knowingly or intentionally providing or allowing a person under 21 to possess alcoholic beverages on premises or property owned or controlled by the person charged. A violation is punishable by a fine of up to \$2,000 or imprisonment for not more than one year, or both.

Anyone under 21 years of age who purchases, attempts to purchase, or willfully misrepresents their age (including by defacing, altering or otherwise falsifying an identification card) in order to purchase or procure alcoholic beverages is subject to a \$300 fine (**M.G.L. c. 138, section 34A**). The law also prohibits anyone from knowingly making a false statement about the age of a person under 21 years of age, or inducing that person to

make such a statement, in order to obtain alcoholic beverages for that person or another person. A conviction also results in a 180-day suspension of the defendant's driver's license.

Unless accompanied by a parent or legal guardian or in the course of employment, persons under 21 years of age may not knowingly possess, carry, or transport any alcoholic beverages. Violators are subject to immediate arrest without a warrant, and a conviction is punishable by fines and the suspension of their driver's license for a maximum of 90 days (**M.G.L. c. 138, section 34C**).

A first conviction of driving under the influence of alcohol is punishable by a \$500-\$5,000 fine, up to two and a half years in prison, or both, and a one-year driver's -license revocation. Subsequent offenses carry enhanced penalties.

Under Massachusetts law, a social host may be held liable for the injuries suffered by others if the host knew or should have known that a guest was intoxicated and nevertheless gave the guest, or permitted the guest to take, an alcoholic drink, and the guest thereafter negligently caused injury to others because of the guest's intoxication. If the guest who causes an injury is under 21 years of age, the host who provided or controlled the alcohol might be held liable to others even if the host did not know or have reason to know that the guest was intoxicated.

City of Worcester

Chapter 9, Section 4, of the Revised Ordinances of 1996 of the City of Worcester prohibits the possession of open containers of alcohol by anyone regardless of age while on, in or upon any public way or sidewalk or upon private property without the consent of the owner of the property. Violators are subject to arrest and a fine of not more than \$50 for each offense. Off-campus parties and disturbances are addressed by the Worcester Police Department, and frequently result in arrests for the following violations:

- Disturbing the Peace
- Failing to follow the directions of a police officer
- Allowing underage students to consume alcohol at an off-campus residence
- Public drinking and possessing open containers of alcohol

Federal and State Drug Offenses

Federal and state laws treat unlawful cultivation, manufacture, distribution, dispensation, use and possession of illegal drugs and drug paraphernalia as serious crimes. Conviction for these crimes can lead to imprisonment, fines, forfeiture of property, loss of access to federal funding, denial of licenses, probation, and/or assigned community service. The College will cooperate fully with law enforcement officials in the investigation and prosecution of drug related cases.

The criminal offenses most commonly charged under the federal Controlled Substances Act are the knowing, intentional and unauthorized manufacture, distribution or dispensing of any controlled substance or the possession of any controlled substance with the intent to manufacture, distribute or dispense. Federal law also prohibits the knowing, intentional and unauthorized creation, distribution, dispensing or possession with intent to distribute or dispense a "counterfeit substance." Simple possession without an intent to distribute is also forbidden by federal law and is punishable by imprisonment.

Questions sometimes arise as to what amount of illegal drugs found in the possession of a person is considered to be for personal use as opposed to the more serious offense of possession with the intent to distribute. Pursuant to federal law, the greater quantity possessed, the more likely it is that an individual possessed such quantity with an intent to distribute. Furthermore, it is also a federal crime for an individual to attempt to, or assist another to, distribute or possess illegal drugs under federal law. Maximum penalties for drug violations under federal law range from one year to life in prison, and many violations carry substantial mandatory minimum prison sentences

(e.g., five, ten, or twenty years). The penalties also vary depending upon the type of drug (e.g., narcotic and addictive drugs and drugs with high potential for abuse) and quantity of the drug involved. In addition, certain circumstances may result in greater penalties, including:

- Distribution to persons under 21
- Distribution or manufacturing by a person who is at least 18 years of age within 1000 feet of a college or school to a person under 21 years of age (which may include a mandatory one-year prison term)
- Employment of juveniles under the age of 18 in drug trafficking operations
- Distribution to pregnant women
- Use of a firearm in the commission of the offense
- A drug offense that results in death or serious bodily injury to an individual who uses the drug involved
- Second and subsequent convictions

In addition, a student convicted of drug offense under federal or state law during a period of enrollment during which a student was receiving federal financial aid are ineligible for federal financial assistance (federal grants, loans and work study) for a period of time (possession: first offense, 1 year; second offense, 2 years; third offense, indefinite; sale: first offense, 2 years; second offense, indefinite). Under certain circumstances, individuals may regain eligibility by completing a qualified drug rehabilitation program. Likewise, students from other countries who have received student visas risk revocation of such visas and termination of their authorization to remain in the United States. Massachusetts also has criminal penalties for narcotic and addictive drugs and drugs with high potential for abuse have heavier penalties. Massachusetts makes it illegal to be in a place where heroin is kept and to be “in the company” of a person known to possess heroin (subject to potential imprisonment of up to one year and/or fines). Anyone in the presence of heroin risks a serious drug conviction.

Regardless of Massachusetts law, marijuana remains illegal under federal law so an individual may violate federal law even if in compliance with the laws of Massachusetts. In addition to federal law, individuals are subject to arrest and prosecution under Massachusetts law for:

- Furnishing marijuana, marijuana products or marijuana accessories to any person less than 21 years of age, either for the person’s own use or for the use of another person is punishable by a fine of not more than \$2,000 or by imprisonment for not more than one year or both. “Furnish” includes allowing a person less than 21 years of age to possess marijuana, marijuana products or marijuana accessories on property owned or controlled by the person charged.
- Operating a vehicle under the influence of marijuana. First conviction of driving under the influence of alcohol is punishable by a \$500– \$5,000 fine, suspension of driver’s license up to one year, and up to two and a half years in prison. Subsequent offenses carry higher penalties.
- Distribution and possession of marijuana above stated limits.

There are a number of civil marijuana offenses in Massachusetts including, but not limited to, the following:

- Using marijuana in any form (smoking, vaping, edibles) in public or where smoking tobacco is prohibited.
- Possessing an open container of marijuana or marijuana products in a motor vehicle’s passenger area.
- Possessing more than the legally permissible amount of marijuana (generally more than 1 oz.) outside of one’s residence.
- Attempting to purchase marijuana or drug paraphernalia if under 21 years of age.

You can learn more details about the Massachusetts marijuana law at <https://www.mass.gov/info-details/marijuana-in-massachusetts-whats-legal> and <https://www.mass.gov/info-details/massachusetts-law-about-recreational-marijuana> Penalties for civil marijuana offenses generally range from \$100 to \$1000 and in some cases individuals who are less than 21 years of age must complete drug awareness programs and parents or legal guardians are notified. Sale and possession of “drug paraphernalia” is illegal in Massachusetts except that

pursuant to **M.G.L. c. 94G, §8** a person 21 years of age or older may possess, purchase, or otherwise obtains marijuana accessories under Massachusetts law. Of course, as noted above, the College prohibits students from possessing any such “drug paraphernalia” as a matter of College policy.

Campus Living Policies

Residential students and their guests are expected to follow all reasonable directions of Residence Life and Housing personnel, shall adhere to all terms and conditions set forth in the *Agreement Regarding Occupancy of Student Residence Housing and College Food Plans* and to the terms and conditions outlined below.

Alteration of Rooms

Only two items may be temporarily removed from a residence hall room: the desk chair and hutch. All roommates must agree and a request must be submitted to, and approved by, Residence Life and Housing staff before removal. Any/all necessary paperwork must also be completed. No furniture may be taken outside of the residence hall nor may it be left in the hallway after use. Students must pay full replacement cost for any damaged or missing items removed improperly or without a work order on file. When a student changes or otherwise vacates their room, it is the student’s responsibility to make sure that the student checks out of their room with their Resident Assistant. Students should contact a staff member prior to making any room alterations in order to confirm that the alteration is acceptable. The following are examples of prohibited alterations:

- Any painting, graffiti, or wall art
- The use of nails or screws
- Contact or shelf paper
- Adhesive decorations
- Modification of College-owned curtains/blinds
- Reversing bed frame hardware (only 12-inch manufactured bed risers may be used)

Businesses and Fundraising

Students are prohibited from operating any business on College property. No fundraising is permitted in any residence hall without the written approval of the Director of Residence Life and Housing or their designee.

Common Spaces

College-owned items placed in common spaces are for the use of all students and may not be removed. Damage or vandalism to social rooms, recreation rooms, vending machines or kitchen facilities is considered common-area damage and may be billed to all residents or an appropriate subgroup of residents in the sole discretion of the College unless a specific individual(s) acknowledges responsibility or is otherwise found via the *Community Standards Process and Procedures* to have committed the violation that caused the damage.

Courtesy and Quiet Hours

Courtesy hours are in effect at all times. It is expected that reasonable requests to reduce noise levels should be honored regardless of the time. Quiet hours are Su-Th: 10:00 p.m. – 8:00 a.m. and F-Sa: 12:00am – 8:00 a.m. as well as during other select times of the semester (e.g. study period and final exams period), and noise should not be heard beyond the confines of an individual’s bedroom during such periods. The use of soft musical instruments (no amplifiers) in the residence halls is permitted as long as it does not result in a disruption to the living/learning environment. Professional-grade DJ equipment must not be used or stored in any residence hall.

Damage to Rooms, Suites and Apartments

Residents must immediately report damage or any maintenance issues. Residents are responsible for any non-accidental damage and/or vandalism in accordance with the *Community Standards Process and Procedures*. Residents may be assessed for the costs associated with the removal of excess trash or debris. Residents also share responsibility for the state of common areas in their respective residence hall.

Door Lock Combinations

Under no circumstances should students share their room combinations with anyone. Students with concerns about the security and/or functionality of their room locks and/or combinations should contact the Office of Residence Life and Housing or the Department of Public Safety as soon as possible.

Hall Sports

Certain outdoor activities are prohibited in the residence halls. These 'hall sports' include, but are not limited to, ball playing, frisbee throwing, wrestling, any water balloon/snowball activity, skating, skateboarding, use of bikes, scooters and hoverboards and/or any other behaviors or activities that might constitute excessive horseplay.

Health and Safety

Designated College officials, including Residence Life and Housing personnel authorized to conduct room inspections on a monthly basis to ensure that there are no hazardous or prohibited items or appliances in the room. These inspections may or may not be announced and may occur without a student present. If a concern and/or prohibited item is discovered, the student will be notified and/or the item may be confiscated. Residents are responsible for the cleanliness of their room and residence hall and must keep spaces free of trash/debris.

Prohibited Items, many of which are fire hazards, include but are not limited to:

- Stand-alone microwaves (approved MicroFridge units are permitted)
- Curtains/window hangings/tapestries (any items displayed or otherwise blocking window opacity) • Any item found to be attached to, and/or hung from, smoke detectors and/or sprinkler heads/pipes
- Toasters, toaster ovens, hot plates, electric grills, and/or griddles
- Any open flame and/or any lit or unlit candles, incense and/or candle/potpourri warming plates
- Extension cords (only power strips with surge protectors are permitted)
- Live Christmas trees/wreaths and decorative lights that emit heat (LED lighting is permitted)
- Flammable liquids and/or gas-powered equipment
- Water toys and/or mini pools
- Space heaters, heat lamps, or halogen lamps
- Unauthorized wireless routers
- Window and/or portable air conditioners
- Cinder blocks or other unauthorized bed risers as well as improvised or unauthorized lofts
- Weight-lifting equipment, other large exercise items, electric scooters/bicycles/hoverboards, and their associated high-powered lithium-ion batteries
- Curling irons/hair straighteners must be used in common bathrooms where such facilities exist
- Grills, hibachis, liquid propane tanks, charcoal, lighter fluid or other outdoor cooking items
- Items used for prohibited smoking or vaping. All College buildings are tobacco-free. Smoking, vaping and use of e-cigarettes is strictly prohibited. Students may not use or possess related paraphernalia, including but not limited to, vaporizers, hookahs or shishas.

Safe Evacuation During a Fire Alarm

- Close all doors behind you when vacating your room, suite or apartment.
- Do not use an elevator. Evacuate immediately via designated stairwells and exits
- Do not reenter the building until permitted to do so by Public Safety or another College official
- Immediately report any knowledge of the cause of an alarm to Public Safety (e.g. smoke due to cooking)
- Always follow directions of Public Safety, Residence Life, Worcester Police and Worcester Fire

Occupancy and Capacity of Rooms

The College may reassign students to different residence hall rooms and/or halls at any time. A resident may not use an unoccupied space for storage or “hold a space” for another student. Residents with access to these spaces must maintain the original condition of the space so it is available for occupancy by a new resident with as little as one hour’s notice. Students interested in a room change must first contact a Residence Life and Housing staff member to discuss their circumstances. Unauthorized occupancy, including but not limited to, unapproved room changes, unapproved early arrival (before halls open) and unapproved late stay (after halls close) may result in a referral to the Office of Community Standards. On-campus storage for personal belongings during the summer months or a semester away is not available. The maximum number of persons (including assigned room occupants) permitted in a College-owned residence hall room at any one time is: Single/Double occupancy room: 10; All other rooms: 20.

Pets

A “pet” is an animal kept for ordinary use/companionship and not considered a Service Animal or an Assistance Animal. Only pet fish (10-gallon tank maximum) are permitted on College property. More information may be found at the College’s *Service Animal and Assistance Animal Policy*.

Postings in the Residence Halls

The Office of Residence Life and Housing must approve/stamp all posters/fliers/table tents etc. for any student, club or organization before such items may be posted in any residence hall.

Windows and Roof Access

Passing and/or tossing objects through, and/or hanging out of, residence hall windows is prohibited. Nothing can be placed on window glass, outside a window and may not obstruct the proper operation of College owned shades/curtains. Tampering with, damage to and/or removal of window riser restrictors and/or screens is prohibited. Screens must remain in window frames. Any removal and/or replacement of screens must occur solely through Facilities or Facilities-approved staff, who may enter rooms without notice to replace screens. Under no circumstances are students permitted on any roofs, balconies, walls or other restricted campus locations. Facilities staff will immediately dispose of any personal items found in these areas. Students are also prohibited from entering or exiting a residence through windows.

OTHER COLLEGE POLICIES

Campus Communication

The College provides students with an email account upon matriculation to the institution. This account is free of charge and remains available at minimum while the student is enrolled or is active in their degree program. The College-assigned student email account is the College’s official means of communication with all students. Students are responsible for reviewing all information sent by the College to their College-assigned email account. If a student chooses to forward messages to another account, the student is still responsible for reviewing all information sent by the College, including attachments. Students must comply with all applicable email and technology policies established by the College in connection with their use of College-provided email accounts, networks, systems, and other technology.

Fundraising, Sales, and Solicitations

Any student wishing to conduct any sales, concessions, and/or fundraisers for non-profit purposes in the residence halls must first obtain approval from the Office of Residence Life and Housing. Any project or activity involving any fundraising must also be preapproved by the Office of Student Involvement (OSI). This includes raffles, contests,

sales, and/or the direct solicitation of funds. Raffles also require compliance with applicable Massachusetts legal requirements. Federal tax law prohibits tax-exempt organizations like the College from engaging in certain campaign-related activities or providing financial or other support for political candidates or organizations. Students and student organizations are prohibited from soliciting funds for political candidates, campaigns or parties in the name of the College and/or through the use of College resources. Direct questions can be directed to the Office of Government and Community Relations at (508) 793-3905.

Guest Policy

Residential students may not register or host more than two guests at once. Overnight (after 11 p.m.) non-student guests *must be registered*, must possess valid photo ID and be accompanied by their host at all times. Guests are prohibited when classes are not in session (to include study periods and final exam periods). No student or non-student guest may exceed two consecutive overnights or four total overnights in any given 30-day period. Students may not host guests of the opposite gender in their room overnight. Hosts should seek and receive permission from their roommate(s) prior to hosting any overnight guest(s). Guests must adhere to all Holy Cross policies. Hosts are responsible for the actions of their guests and are accountable for any guest misconduct. Failing to register a guest does not absolve a host of this responsibility. The College reserves the right to restrict or prohibit guests at any time. Guests who do not adhere to college policy will be required to leave campus and may be restricted from visiting campus in the future. Guests with vehicles must register their vehicle with Public Safety and park in designated areas. Students should not assume that their guest is permitted to attend all campus events or activities and must first seek approval and/or clarification from the sponsoring office or department. Students on temporary leave from the College who are not otherwise prohibited from being on campus must still have a host and be registered in accordance with this policy if/when they intend to visit campus as an overnight guest.

Off-Campus Living Policy

(Note: This policy shall not apply to students who are married or commuter students (living with a parent or legal guardian) or to students who are the parents of dependent children. Students who do not meet these criteria but may have special circumstances should contact Student Development).

- Students must complete an application and receive permission to reside off-campus. This process generally occurs during the fall semester prior to the academic year that the student plans to reside off campus. Approval is only granted for one year. Eligible students must reapply for each subsequent year.
- The College reserves the right to limit the overall number of students approved for off-campus living.
- Students who are not approved to live off campus will automatically be contracted for campus housing and will participate in the room selection process.
- The College reserves the right to assign a heightened degree of responsibility and accountability to every tenant who lives at an off-campus residence, including in instances where a violation of College policy may have occurred at the property. This includes, but is not limited to, being considered the “host” of a prohibited gathering, regardless of other factors such as the role a student may or may not have played in the active planning and/or facilitation of a prohibited gathering.
- Permission may be revoked at any time if a student’s disciplinary status adversely changes.
- Only students who have completed four semesters of study at Holy Cross are eligible for off-campus living. Student transfers must be a rising junior or senior in order to apply to live off-campus.
- Staff from the Offices of Residence Life and Housing and Community Standards will review a completed application when all materials are submitted before the deadline.
- Students are discouraged from entering into a lease or other binding agreement if they have not received permission to reside off-campus. If a student is not approved to live off-campus, the student will be required to live on-campus even if the student has entered into a binding legal obligation with a third party. The College is not responsible for costs of third party leases, and the student remains responsible for the costs of residential housing.
- Students are required to provide the College with accurate off-campus contact information to include their

address, apartment number and landlord contact information. Failure to do so will constitute a violation of College policy and may result in a loss of off-campus living privileges.

- Student-athletes should confer with the Division of Athletics to determine if additional conditions or criteria apply above and beyond what is outlined in this policy.
- Students determined to be in violation of any federal, state or local or City ordinance, and/or College policy, rule or regulation can have their off-campus permission revoked immediately regardless of the financial impact of a lease or other legal obligation. Students who have their permission revoked will be required to return to on campus housing with its attendant expense, or move to another agreed upon housing arrangement.
- The College does not inspect, review or otherwise recommend off-campus apartments or landlords and therefore cannot ascertain whether such properties are safe, sanitary or in compliance with local ordinances. Students are encouraged to investigate living conditions, landlord practices and quality of dwellings prior to entering into a lease agreement or any other binding agreement. The College does not mediate landlord/tenant issues.
- Student tenants are expected to fully cooperate with City officials carrying out their official duties; this includes permitting members of the City's Property Review Team access to their off-campus units to ensure compliance with housing codes and local ordinances.
- Students are expected to be aware of and adhere to housing ordinances that limit occupancy to no more than three unrelated persons per single living unit. The College will cooperate with city officials in compliance with applicable law. Students who violate this ordinance can and have faced eviction.
- Students are expected to keep their properties free of trash and debris. Students should also be aware of and adhere to the city's trash and recycling policies.
- The city of Worcester prohibits chimneys, fire pits, or other outdoor open burning.
- The DOS (or their designee) retains sole discretion to interpret and apply this off-campus living policy and to administer the application process for off-campus living..

Posting and Advertising

Flyers are defined as mail which is received in bulk by Mail Services for distribution to departments, offices, and/or students. Election campaign flyers will not be distributed. Student and departmental mailboxes located in the Hogan Campus Center are intended for the distribution of U.S. mail only. The Office of Student Involvement (OSI) must approve/stamp all posters/fliers/table tents etc. for any student and/or Registered Student Organization (RSO) before such items may be posted in Hogan. Posters/fliers/table tents etc. in any other campus facility must be approved/stamped by the sponsoring department.

Return from Emergency Assessment or Hospitalization

Students who are medically evaluated or hospitalized for reasons related to alcohol or other recreational drug use must thereafter meet with the Director of Community Standards or designee. Students returning from any other type of emergency assessment or hospitalization must thereafter meet with the Associate Dean for Student Engagement or designee to discuss the student's readiness to resume studies and to plan for the student's successful and safe return to the College. The Associate Dean for Student Engagement or designee will consult with the student and appropriate College administrators and review the best currently available objective information, including relevant medical information provided by, or on behalf of, the student. The student will be asked to sign releases necessary to permit communication between relevant medical and/or behavioral health professionals, including the student's own preferred providers, and appropriate College administrators. The Associate Dean for Student Engagement or designee will consult with the Director of Counseling and Psychological Services and/or the Director of Health Services, or a designee, regarding the student's return to campus, including consideration regarding what level of treatment is clinically recommended to meaningfully reduce risk. This includes the applicable director's consideration of the opinions and recommendations of the student's treating health or mental health professional(s), if available. The Associate Dean for Student Engagement or designee will also discuss the availability of reasonable

accommodations for students with disabilities through the Office of Student Accessibility Services. Students may be required to comply with the recommended treatment plan as a condition to return to campus. The Associate Dean for Student Engagement or designee may recommend or impose additional conditions for return, to prepare the student for a successful and safe return to the College community. Conditions may include, but are not limited to, meetings with College administrators or other relevant personnel, behavioral agreements, ongoing medical and/or behavioral health treatment and/or compliance with a medical treatment plan, restrictions on participation in residential housing and/or other activities or privileges, and/or other applicable requirements or adjustments. Proposed conditions will be discussed with the student. If the student does not agree to the conditions and/or returns at a time that is not recommended, the Associate Dean for Student Engagement or designee, or the student's Class Dean, may also discuss voluntary leave of absence options with the student. Please see the Voluntary Leave of Absence Policy for further information.

Student Identification Card and Unique Number

All students must maintain, protect and carry their College-issued Identification (ID) Card and number at all times, on and off campus. Only the student to whom the card and unique number is issued is permitted to use or possess it. Lost or damaged cards should be reported to the Department of Public Safety immediately.

STUDENT PROTESTS AND DEMONSTRATIONS

A Framework for Protest

At the College of the Holy Cross, we believe our educational mission is best achieved in an environment where free expression and open dialogue are not merely encouraged but celebrated. As a Jesuit Catholic liberal arts college committed to the ideals of human formation, ethical leadership, and social justice, we recognize that the vibrant exchange of conflicting ideas is an essential component of our collective growth.

For this growth and exchange of ideas to take place, it is important to affirm the rights of students to express ideas and state their agreement or disagreement with the opinions of others. This includes the right to disagree through peaceful protest. We affirm the right for students to use their voices, engage in orderly demonstrations, and seek justice within and beyond the Holy Cross community. We also remain committed to building a community in which the membership and participation of all members is supported and protected.

General Protest & Demonstration Requirements

The purpose of this policy is to actively support and promote acts of public expression on campus while also addressing the safety and rights of our entire community. Protests, demonstrations, and other acts of public expression are expected to be in compliance with all College policies and applicable law.

Procedures

The following requirements must be met by any student or student group who wishes to stage a protest or demonstration on Holy Cross property:

Notification Requirement: The Division of Student Development must be notified at least three business days in advance of the protest. Protest organizers must provide the following information when they notify Student Development by submitting [this form](#):

- Nature of the protest or demonstration
- Proposed location of the protest
- Start and end time of the protest
- Any other necessary considerations

- Contact information for organizers
- Name and contact information of any on-campus advisor (staff or faculty)

Meeting Requirement: To help promote a successful and safe protest and to understand organizers' needs and goals, the organizers are ordinarily required to meet with Student Development and the Department of Public Safety 48 hours before the event. This meeting will take place with the Associate Dean for Student Engagement or their designee and the Director of Public Safety or their designee.

Approval Requirement: After the above notification and meeting requirements have been completed, approval is required to move forward with a protest event. Student Development, in consultation with Public Safety and other relevant officials, will review the proposed event and approve the time and place of the event and the manner in which the event will be conducted in compliance with College policies, protocols, and other requirements. Requests will be considered without regard to content or viewpoint so long as they do not violate any other College policies (e.g. prohibited harassment). Approval for a protest or demonstration is not an endorsement by the College.

The College's goal in asking groups and individuals to receive prior approval for protest events is not to restrict free expression or peaceful demonstration. Rather, the approval process gives the College the opportunity to provide space that accommodates the reasonable needs of both the College community and those engaged in protest.

Free Expression Advisor

Protest organizers are encouraged to meet with a Free Expression Advisor. The Free Expression Advisors are trained staff members who can provide advice and guidance to help organizers plan a protest event and understand their expressive rights. Free Expression Advisors can explain protest policies and guidelines, help organizers understand their range of options, and provide operational suggestions to promote the safety of participants. Organizers may bring a Free Expression advisor to the meeting with the Associate Dean for Student Engagement and Public Safety, although they are strongly encouraged to consult with a Free Expression Advisor before this meeting.

The Free Expression Advisors for the 2026-2027 academic year are:

Jerrel Burgo, Director of Student Inclusion and Belonging, JEBI

Aaron Dashiell, Assistant Director of Athletics

Chris Holguin, Associate Director of Academic Services and Learning Resources

Brenda Hounsell Sullivan, Assistant Dean, Director of Student Involvement

Marty Kelly, Associate Chaplain, Service and Justice Programs

Time, Place, and Manner Restrictions

The College reserves the right to determine the time, place, and manner of all such activities. While specific time, place, and manner restrictions may be required by the College to meet the needs of an individual protest, demonstration, or other acts of public expression, the following restrictions apply to all such events:

Time: Protests must occur within the hours of normal operations for the facility or space in which they occur (if applicable). Protests are not permitted during study periods or final exams.

Place: Protests may not occur in places that would interfere with academic activities, such as classes, labs, activities in any academic building, libraries, etc.; private offices; religious services; or the normal

functioning of the College's student residence halls and dining facilities. No protest event may obstruct pedestrian and vehicular traffic flow, nor block access to or from any College facilities. The total number of participants for indoor protests cannot exceed occupancy limits.

Manner: Protests may not use amplified sound in a manner that is disruptive to ordinary campus operations, work, or learning, or in any other manner that violates applicable law or College policy.

As a Jesuit institution, the manner in which our students engage in civil discourse – regardless of content or viewpoints being expressed – is held to a high standard. Just as students are encouraged to engage in critical thought and social action, they are expected to do so in a respectful manner that honors the inherent dignity of all people, even those with whom they may disagree.

The Associate Dean for Student Engagement, in consultation with Public Safety and other relevant officials, may require safety measures for any event. This may include, but not be limited to, bag and safety checks, signage posted at the event entrance, requiring attendees to present identification, limiting attendance at the event to Holy Cross students and employees, or any other measures designed to promote the safety of College community members, prevent disruption of ordinary campus operations, work, or learning, or to address any other applicable or relevant detail or circumstances.

Handheld placards, banners, and signs are generally allowed as long as they are not dangerous to others and do not significantly impede their participation in usual College operations. However, signs that constitute a hazard to other people may not be permitted. Specifically, this means that signs should be constructed entirely of soft material such as cardboard, poster board, or cloth. Signs attached to rigid sticks or poles are not permitted.

All people participating in protests and demonstrations are required to provide a form of College-issued or government-issued identification upon request from a College official. Face coverings that conceal a participant's identity are prohibited, other than masks or coverings for health or religious observance reasons.

For events occurring on city sidewalks and streets adjacent to the College, students should make appropriate arrangements to acquire city permits and should adhere to city ordinances and applicable state and federal law.

Safety Concerns and Disruptive Conduct

In working to support free expression, the College is also protective of the health and safety of all members of our community (students, faculty, and staff). We are committed to promoting a safe environment in which free expression can take place by:

- Seeking to assure the physical health and safety of our community;
- Maintaining ordinary campus operations, work, and learning;
- Prohibiting speech and expression that constitute threats or harassment in violation of College policy directed at a specific person or group, including threats based on race, ethnicity, religion, shared ancestry, age, sex, gender, disability, sexual orientation, gender identity or expression, veteran's status, or other protected status;
- Prohibiting defamation of individuals, or expression that invades privacy or confidentiality in violation of applicable law; and
- Prohibiting any inciting of violence.

In order to build and preserve a College climate that supports the responsible exchange of ideas and expression, community members are expected to dissent and protest peacefully and non-disruptively. Conduct is disruptive when it interferes with the ordinary operations, work, or learning undertaken by faculty, staff, and students at Holy Cross.

Approved protests, demonstrations, and other acts of public expression will generally be permitted and supported until ordinary campus operations, work, or learning have been disrupted, there is a threat to campus safety, or applicable law or College policy has been violated.

Disruptive conduct includes but is not limited to: obstructing the passage into or out of buildings by blocking doorways; preventing College faculty and staff from entering their workplace; refusing to relocate from a building or area that is closed; significantly impairing members of a class from being able to hear a lecture or take an exam; significantly impairing an instructor or guest speaker from giving a lecture, by means of shouts or other significant interruptions; significantly impairing an event from taking place; and destruction of property or vandalism. Any member of the College community who engages in disruptive conduct or violates College policy may be subject to disciplinary action, including, but not limited to, restitution costs for damage.

Counter Protests

A protest or demonstration on campus may activate another form of protest. When these occasions arise, the expression of all parties is important. Please note that Student Development or DPS may designate a separate protest area for those persons with views that differ from those held by the event organizers. In order to address the safety of all participants, DPS may require the attendance of one or more officers. Counter-protests will be held to the same standards as all other protests and demonstrations.

Members of the Public

Because Holy Cross is a private institution and its campus is private property, persons who are not Holy Cross students, faculty, or staff, (“members of the public”) do not enjoy the same benefits and rights as those in our community. Failure of members of the public to comply with College policies or directives may result in removal from campus, arrest, or other criminal charges. Additionally, students are responsible for any members of the public they invite to campus.

Fixed Exhibits

Fixed exhibits are not permitted without express written approval from the Associate Dean for Student Engagement or their designee. Fixed exhibits are unattended, temporary structures or displays such as a flag display on the Hoval or a set of ribbons tied to a fence. Due to their unique nature, fixed exhibits must be coordinated with the Associate Dean for Student Engagement or their designee in Student Development, in consultation with other stakeholders (Public Safety, Hospitality Services, Facilities, etc.).

Individual students or recognized student organizations wishing to sponsor a fixed exhibit must submit a request form at least three business days before installation. Following receipt of this request, the sponsoring party must meet with the Associate Dean for Student Engagement or their designee to discuss expectations, rights, responsibilities, and logistical considerations. The College may have specific time, place, and manner restrictions for any fixed exhibit.

Requests will be considered without regard to content or viewpoint so long as they do not violate any other College policies (e.g. prohibited harassment). Approval for a fixed exhibit is not an endorsement by the College. Fixed exhibits will ordinarily be approved for five or fewer consecutive days and may not be displayed during College breaks or holidays. A sign must be posted with any fixed exhibit indicating its approval, duration, and the contact information of the sponsoring party. The sponsoring party is responsible for any damage to College property resulting from the exhibit.

Last Updated 8/2026

