



COLLEGE OF THE
Holy Cross

**Community Standards
Process and Procedures
2023-2024**

**Maintained by the Office of Student Integrity
and Community Standards**

508-793-3475

Hogan 109



Welcome! As your Associate Vice President for Student Development and Dean of Students, I am thrilled to have you on The Hill. I hope to meet many of you at Cool Beans, on the Hoval or at athletic events, lectures, concerts, theatre performances, or campus ministry and multicultural immersion programs. All of these opportunities will contribute to your personal development during your time on Mount St. James and beyond, and I look forward to your participation.

At Holy Cross, big questions live at the heart of our liberal arts culture and our Jesuit tradition. Every question is an invitation to explore a larger meaning. When we ask, we learn. In the year ahead, I invite you to focus on central questions such as, *What are my desires and passions? What are my strengths and values?*

We will ask you to be involved in our local and global communities, and we will challenge you to explore and understand your cultural identities and the identities of others. We will assist you in achieving a holistic way of life marked by an attention to personal care and balance. As you form reflective habits, we will invite you to contemplate the questions, *Who am I? Who do I want to become? Who do I want to be for others?*

The College's Mission Statement asks us to reflect on our obligations to one another, to build communities marked by freedom, mutual respect, and civility. To that end, we expect you to adhere to the standards outlined in this document and in related correspondence referenced herein in order to build a community that is worthy of our tradition.

There is much to celebrate at the College, and my colleagues and I invite you to call upon us for assistance and advice at any time. We are committed to your success!

Sincerely,

A handwritten signature in black ink that reads "Charles Todd". The signature is fluid and cursive, with the first name being more prominent.

Charles Todd, Ph.D.
Associate Vice President for Student Development and Dean of Students

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COLLEGE MISSION STATEMENT

The College of the Holy Cross is, by tradition and choice, a Jesuit liberal arts college serving the Catholic community, American society, and the wider world. To participate in the life of Holy Cross is to accept an invitation to join in dialogue about basic human questions: What is the moral character of learning and teaching? How do we find meaning in life and history? What are our obligations to one another? What is our special responsibility to the world's poor and powerless?

As a liberal arts college, Holy Cross pursues excellence in teaching, learning, and research. All who share its life are challenged to be open to new ideas, to be patient with ambiguity and uncertainty, to combine a passion for truth with respect for the views of others. Informed by the presence of diverse interpretations of the human experience, Holy Cross seeks to build a community marked by freedom, mutual respect, and civility. Because the search for meaning and value is at the heart of the intellectual life, critical examination of fundamental religious and philosophical questions is integral to liberal arts education. Dialogue about these questions among people from diverse academic disciplines and religious traditions requires everyone to acknowledge and respect differences. Dialogue also requires us to remain open to that sense of the whole, which calls us to transcend ourselves, and challenges us to seek that which might constitute our common humanity.

The faculty and staff of Holy Cross, now primarily lay and religiously and culturally diverse, also affirm the mission of Holy Cross as a Jesuit college. As such, Holy Cross seeks to exemplify the longstanding dedication of the Society of Jesus to the intellectual life and its commitment to the service of faith and promotion of justice. The College is dedicated to forming a community that supports the intellectual growth of all its members while offering them opportunities for spiritual and moral development. In a special way, the College must enable all who choose to do so to encounter the intellectual heritage of Catholicism, to form an active worshipping community, and to become engaged in the life and work of the contemporary church.

Since 1843, Holy Cross has sought to educate students who, as leaders in business, professional, and civic life, would live by the highest intellectual and ethical standards. In service of this ideal, Holy Cross endeavors to create an environment in which integrated learning is a shared responsibility, pursued in classroom and laboratory, studio and theater, residence and chapel. Shared responsibility for the life and governance of the College should lead all its members to make the best of their own talents, to work together, to be sensitive to one another, to serve others, and to seek justice within and beyond the Holy Cross community.

COMMUNITY STANDARDS PROCESS AND PROCEDURES

INTRODUCTION

By enrolling at the College of the Holy Cross, students agree to abide by all College policies, procedures, rules, requirements and catalogs, including, 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 implicated in an allegation of a violation of the College's Community Standards is entitled to specific rights. This includes the right to be informed of any administrative charge(s) related to the alleged misconduct, the right to adequate time to prepare a response 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 violations may result in suspension or dismissal. These rights do not establish any contractual right or obligation.

PROCEDURES AND POLICY

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 Registered Student Organization (RSO). 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 Dean of Students (also referred to as the "DOS"), the Associate Dean of Students and the Director of Student Integrity and 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, he, she or 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.

Hearing 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

The following selected terms are defined in an effort to facilitate a more thorough understanding of the College's Community Standards. This list is not intended to be a complete list of all terms referenced or defined in this document that might require interpretation or clarification.

1. **“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.
2. **“Business day”** means any day, Monday through Friday, that the College is open.
3. **“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.”
4. **“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.
5. **“Respondent”** means any student alleged to have violated the College's Community Standards.
6. **“Students”** are defined as any of the following:
 - a. Any person who has accepted an invitation of admission to the College.
 - b. Any person who is enrolled in any College course(s).
 - c. Any person who is not currently enrolled in any College course(s) but who otherwise falls into one of the following categories:
 - I. 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).
 - II. Individuals who are withdrawn and/or who are no longer eligible to return and/or who have successfully completed their degree requirements are no longer considered students.
7. **“Witness”** means any individual who has direct knowledge of an incident. Character witnesses and character testimonies are not part of the Community Standards process.

Disciplinary Records

Disciplinary files maintained by the Office of Student Integrity and 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. Additional information on [FERPA and the College's Directory Information](#) may be found on the College's webpage.

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.*" Typically, because the institution's disciplinary process is designed to be educational rather than punitive, it is the College's ordinary practice (with the student's expressed written consent) to comment on student disciplinary history (specific to cases managed via the Office of Student Integrity and Community Standards or the Office of Title IX & Equal Opportunity) only if there is a record of *College Suspension* or *College Dismissal*. Records of *College Probation* may be disclosed to internal Holy Cross campus partners with legitimate educational interests. For the purpose of Dean Certifications, the College does not comment on questions related to student character or fitness. Any student disciplinary record including allegations of student misconduct and/or open/pending matters may be disclosed without a student's consent to any college official who has a legitimate educational interest. These officials may include administrative, supervisory, academic or student support personnel.

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 Student Integrity and 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, it may be necessary to restrict a student from other activities or privileges pending the resolution of a disciplinary matter. Students may be restricted from campus housing, or other College property, College activities, athletic participation, or other activities or privileges that they would otherwise enjoy or may be issued a no contact order for any persons (as described below). The DOS may communicate notification of interim restrictions verbally while also providing written correspondence. In addition to campus email, notification may either be hand-delivered or sent by certified mail to the address on record with the College. Failure, or refusal, to take receipt of notification does not negate or postpone the restriction(s). The appropriate College authorities shall be notified of the interim action. The altered privileges shall remain in effect until a final decision has been made regarding pending complaints or until the DOS or designee 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 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 (a) where the reported conduct or other circumstances may pose a threat to the health, safety or well-being to one or more members of the College community (including the respondent); (b) or to preserve College property; (c) a student poses a substantial threat of disruption or interference with the operations of the College; or (d) there is an allegation of significant misconduct, each case, as determined in the sole discretion of the College.

An interim suspension may be communicated to a student by the DOS verbally, before being provided in writing. Interim suspensions may be effective immediately. Written notification shall be provided by email, and either be hand-delivered or sent by certified mail to the address on record with the College. Failure or refusal to take receipt of notification does not negate or postpone the interim suspension. 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 a criminal law process. 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.

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 Student Integrity and 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 the safety of the College community is at risk, if the material facts are undisputed, if there are extenuating circumstances involving any party, or if the DOS or Director, in consultation with appropriate administrators, determines it is otherwise in the best interest of the College and/or the community to do so. The Director, or designee, may modify the procedures after taking into consideration the support and privacy needs of the parties and/or other potential hearing participants. This may include, but is not limited to, alteration of the hearing room, use of multiple rooms, video-conferencing equipment, or other electronic means. 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. Sanction type/terms are not limited to what is expressly noted 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 general order on campus, and/or to prevent escalation of an existing conflict. It does not, on its own, indicate that a violation of College policy has occurred and does not constitute an admission of responsibility. 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 (e.g., e-mail, mail, telephone, instant message, in-person, in writing or via any contact through a third party, etc.). A No-Contact Directive may be imposed regardless of whether or not a Community Standards matter is pending. Failure to comply with the terms of a No-Contact Directive constitutes may result in an interim removal from campus property and/or *College Suspension* or *College Dismissal*.

Parents/Guardians and Attorneys

Only procedural questions are discussed with a parent and/or legal guardian while 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 meeting that concerns the Office of Student Integrity and Community Standards. Parent(s) and/or legal guardian(s) may not attend any student meeting while a Community Standards matter is pending, during the timeframe where an appeal may be submitted, or while an appeal is pending. At the discretion of the DOS, the Director, or designated Community Standards administrator, disciplinary findings and sanctions may be shared with the student's parent(s) or guardian, and/or other appropriate College officials in compliance with FERPA.

Privacy

No participating individual should discuss incident details or case documentation outside of an authorized Community Standards proceeding or related meeting. Actions that are deemed to be inconsistent with this expectation may constitute a subsequent violation and/or be treated as grounds for removal from a proceeding.

Standard of Proof

The standard, or basis, for findings refers to the standard of proof that is used to assess if a student is “in violation” or “not in violation” of the College’s Community Standards. The basis for findings used during Community Standards proceedings is a preponderance of the evidence or “more likely than not” standard. This standard requires the determination of whether it is more likely than not that a fact exists or a violation occurred. Please note that the preponderance of the evidence standard is not the standard used for criminal culpability in most jurisdictions and a determination of responsibility under the Community Standards does not equate with a finding of a violation of criminal laws. Conversely, lack of a prosecution or conviction in a criminal proceeding does not necessarily imply that the Community Standards were not violated.

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 academic dean will be notified. The Academic Dean’s Office will be informed that the student shall not be permitted to re-enroll until the matter has been satisfactorily resolved. Any such request for readmission will be reviewed and, if appropriate, permission granted at the sole discretion of the DOS. In cases when a student has withdrawn from the College with administrative charges 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 form [here](#) and/or may contact the Office of Student Integrity and 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 detailed 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 strongly 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 regarding findings and sanctions without the student’s input. Written notification outlining findings, related summary of rationale and any assigned sanctions is also provided to the student.

Investigative Meeting

Investigative meetings allow for additional fact-finding and/or points of clarification from one or more individuals believed to have direct knowledge of one or more incidents under review. Notice of an investigative meeting does not constitute formal notice of administrative charges and is not an indication that the interviewee is alleged to have violated 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 (primary delivery is 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

1. Administrative Conferences: Administrative Conferences typically involve an informal meeting between a single trained Community Standards administrator and a student to adjudicate a pending matter. The selected administrator determines administrative findings and assigns any/all applicable administrative sanctions.
2. Community Standards Hearings: Hearings are typically more formal in nature. One or more Community Standards administrators determine administrative findings, unless a respondent chooses to waive their right to a hearing by attesting that their behavior(s) constituted one or more specific violations. Administrative sanctions (when applicable) are determined by an independent sanctioning officer.
3. 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. More formal proceedings may be initiated at any time, as determined at the Director's sole discretion.

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 administrative 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," as it relates to each administrative charge outlined. If one or more violations occur, a separate determination is made as to what the appropriate administrative sanction(s), if any, should be.

Community Standards Hearing Procedures

A respondent and/or complainant has the right to meet with the Director prior to a Community Standards 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. As a general practice, all relevant case materials are made available to respondents, complainants and involved Community Standards administrators ahead of the hearing. Any other materials must be submitted to the Director no later than 48 business hours prior to a hearing, in order to provide all parties a reasonable time to review such materials. The Director may adjust this timeline as appropriate. If any party associated with a hearing suspects any potential 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. Hearing officer(s) may consult with the Director regarding procedural matters at any time.

Community Standards Hearing Agenda

- I. Audio recording begins. All persons present introduce themselves and identify their respective roles.
- II. Procedural points/questions may be addressed and administrative charge(s) are read aloud.
- III. Respondent/complainant may formally respond to the charge(s) and related case documentation.
- IV. Hearing officer(s) may ask the respondent or complainant questions.
- V. Respondent/complainant may request that a witness appear (with supporting rationale provided). The hearing officer(s) has sole discretion to determine whether or not a witness is permitted into the hearing.
- VI. Respondent/Complainant questions must be directed to the hearing officer(s) who will first determine appropriateness and relevance. Students may not directly question and/or cross-examine one another.
- VII. Hearing officer(s) may ask any remaining questions. Respondent/Complainant may offer closing remarks.
- VIII. The hearing and audio recording may be paused for private deliberations.
- IX. The hearing and audio recording resumes. Administrative findings and related rationale are presented to the respondent/complainant. The hearing ends if there is no finding of "in violation."
- X. If there is one or more finding(s) of "in violation," the respondent/complainant may provide personal statements before the hearing concludes. Inappropriate language/treatment communicated in a personal statement may result in the immediate termination of a statement and/or a removal from the hearing.

Determination of Sanctions

If a hearing yields one or more finding(s) of “in violation,” an independent College official appointed by the DOS or Director, determines all sanctioning. This process involves a comprehensive review of factors such as the nature of the violation(s), any mitigating and/or aggravating factors, precedent regarding institutional response to such violations, and any existing respondent disciplinary history. This Community Standards administrator will also have access to the hearing recording. Final written notification of all findings/sanctions will be provided once the sanctioning determination process is completed.

ADMINISTRATIVE SANCTIONS

If there is one or more finding of *in violation*, students can expect the assignment of a status sanction such as:

1. **College Warning:** Formal notice that one or more behaviors constitutes a violation and that any additional violations may result in further institutional action.
2. **Residence Hall Probation:** Marks a period of time (typically a semester’s length of time measured in sixteen calendar weeks) during which a residential student must demonstrate their willingness and ability to comply with the College’s Community Standards. Any violations during this period may result in the student’s removal and ban from all College-owned or leased housing for a specified period of time.
3. **Deferred College Probation:** Any further violations may result in financial assessments, a loss of specific privileges and *College Probation*.
4. **College Probation:** An indefinite period of time where a student is given the opportunity to modify problematic behavior and demonstrate a positive contribution to the College community, in an effort to return to “good disciplinary standing” with the College. Depending on the stipulations specified in their decision letter, the student may apply for a review of their probationary status. A comprehensive review of the student’s request will determine if the probationary status is lifted or if it shall continue. This decision is final and not subject to appeal. A record of past and/or present *College Probation* may preclude a student from serving in certain types of leadership positions and/or securing on-campus employment. Future violations, regardless of their nature and/or severity, may result in *College Suspension* or *College Dismissal*.
5. **College Suspension:** Prohibits a student from being present on College property or at any College-sponsored program, activity or event (whether in person or remote in any manner or media) for a specified period of time. Students who are suspended forfeit the credits of the semester within which the suspension is effective and must complete all assigned sanctions prior to petitioning for re-enrollment.
6. **College Dismissal:** Permanent separation from the College.

The following one or more sanctions may also be assigned to any student and/or student organization found in violation of the College’s Community Standards. This is not an exhaustive list of sanctions:

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 counseling.

Loss of Privilege(s)

The restriction of specified privileges for a defined period of time (e.g., guests, residence hall visitation, dining services, co-curricular activity, ability to access campus or other College resources, etc.). This also includes restricting participation in events such as *Senior Week* and Commencement-related activities.

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 and its impact.

Administrative Relocation

Required relocation from one on-campus residence hall room and/or building to another.

Residence Hall Removal and/or Cancellation of Housing Agreement

Partial (e.g. weekends) or complete revocation of all residence hall privileges (residency and/or visitation).

Revocation of Off-Campus Living Status

Students who have their permission revoked will be required to return to on-campus housing with its attendant expense, regardless of the financial impact of a lease or other legal obligations, or move to another housing arrangement approved by the College or have their ability to access College property terminated.

APPEALS

A respondent has the right to appeal any Community Standards resolution when a sanction of *College Probation*, *College Suspension* or *College Dismissal* is assigned. All appeals shall be submitted in writing within five business days. Except as required to explain the basis of new information, an appeal shall be limited to a review of the existing case file. Any available audio recording shall be made available to the appellate body for review as necessary. The review shall be for one or more of the following purposes:

- a. To determine whether the Community Standards process was facilitated in conformity with prescribed procedures, giving the complainant a reasonable opportunity to prepare and to present information that the College's Community Standards were violated, and giving the respondent a reasonable opportunity to prepare and to present a response to those allegations. An appeal under this ground must set forth that the lack of conformity materially prejudiced the Party requesting the appeal.
- b. To determine whether the sanction(s) imposed were appropriate for the violation(s) of the College's Community Standards of which the student was determined to be "in violation."
- c. To consider newly discovered material information, sufficient to alter a finding or sanction, or other relevant facts not brought out in the original conference and/or hearing, because such information and/or facts were not known to the person appealing at the time of the original conference and/or hearing.

The appellate officer may grant an appeal and refer the matter to the original decision-making body for a re-opening of the proceedings and a reconsideration of the original determinations or the appellate body may alter any finding and/or sanction directly. If an appeal is denied, the matter is considered final and binding upon all.

PROHIBITED BEHAVIOR

Students shall uphold certain behavioral standards and obey federal, state, and local laws. The Director shall make the final determination on what constitutes a potential violation of the College's Community Standards and shall establish the specific violation(s) as appropriate. The following list of behaviors (attempted or actual, whether in person or committed in another manner or media) represent the types of acts that constitute violations. Although the list is extensive, it should not be regarded as all-inclusive.

1. **Abuse of the *Community Standards Process and Procedures*** including, but not limited to:
 - Disruption or interference with the orderly conduct of any Community Standards proceeding.
 - Falsification, distortion, or misrepresentation of information to a Community Standards administrator.
 - Influencing another person to abuse the *Community Standards Process and Procedures*.
 - Discouraging, intimidating and/or retaliating against any individual because of their proper participation in, or use of, the *Community Standards Process and Procedures*, prior to, during, and/or after a proceeding.
 - Failure to comply with an interim measure and/or assigned sanction.

2. Alcohol and Drugs

Any violation of the College's Alcohol and Drug Policy (Appendix A).

3. Arson and/or Unauthorized Fires

The setting of, or participation in, unauthorized fires on or off campus. This includes, but is not limited to, creating or causing a bonfire, burning or charring any items to include paper, trash, bulletin boards, posters, etc.

4. Complicity

Being present during the planning or implementation of, or otherwise assisting with, a violation of policy, procedure, rule or requirement. Students who anticipate or observe a violation are expected to remove themselves from association or participation and are encouraged to report the incident.

5. Disruptive and/or Disorderly Behavior

Participating in, or inciting others to participate in, lewd acts and/or other disruption or obstruction of:

- Teaching, events, administration, or any other College activity or program, on or off-campus.
- Living/Learning environment, on or off campus, in person or remotely, to include concerns and/or formal complaints of excessive noise generated by an off-campus student residence.

6. Endangering Behavior

Conduct that knowingly or unknowingly threatens or endangers the health and safety of any person, including one's self, or otherwise jeopardizes the proper functioning of the College. This includes, but is not limited to, reckless operation of a motor vehicle, hosting a gathering that is overcrowded and/or without safe and/or reasonable means of access and egress, accessing roofs, balconies, or other areas deemed to be unsafe about the campus.

7. Failure to Comply

Uncooperative behavior and/or failure to comply with the directives of, College officials, government officials or law enforcement personnel acting in the performance of their duties. This includes knowingly providing incomplete information, failing to identify oneself and/or refusing to respond, to a College official or failing to adhere to any College mandate or educational requirement.

8. False Information

The possession and/or providing of false information, which includes, but is not limited to, the forgery, misrepresentation, unauthorized alteration and/or duplication of:

- Any college document or other document
- Any written, electronic and/or oral statement provided to a College official
- Any type of currency or form of identification, such as a *Crusader OneCard* and/or other government-issued identification

9. Gambling

Students are expected to abide by all laws and rules prohibiting gambling.

10. Harming Behavior

Includes, but is not limited to, the true threat of, or actual, physical assault or abuse. This also includes harassing behavior. Harassing behavior is the severe or repeated use of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at another individual that has the effect of: harming the individual or causing damage to the individual's property; placing the individual in reasonable fear of harm to the individual and/or the individual's property; or infringing on the rights of other College community members to fully participate in the programs, activities, and mission of the College. In determining whether an act constitutes harassing behavior, the College will consider the full context of the behavior(s) and the College's standards regarding speech/expression. Not every act that might be offensive to an individual or a group constitutes harassing behavior and/or a violation.

11. Hazing

Any form of hazing is prohibited by College policy and Massachusetts 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

- 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 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

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.**

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.

12. Misuse of Fire Safety and/or Safety or Security Equipment

Unauthorized use, or misuse, of fire safety and/or other safety and/or security equipment such as cameras, keys, locks, fire extinguishers, fire sprinklers and/or smoke. Smoke detectors must never be covered, removed, blocked or otherwise tampered with by any means. Intentionally or carelessly triggering, discharging, damaging, and/or tamping with a fire alarm and/or fire extinguisher are serious offenses and constitute a violation of applicable law. Students found *in violation* face institutional action including *College Suspension* or *College Dismissal*. Students who accidentally trigger a fire alarm or smoke detector (e.g. while cooking) or have knowledge of the cause of an alarm must immediately notify Public Safety, Worcester Police or Worcester Fire.

13. On-Campus Living Responsibilities

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

14. Property Damage and/or Misuse

Misusing and/or recklessly or otherwise carelessly damaging, vandalizing, destroying, or tampering with College property, public property and/or the property of any person(s) or business.

15. Retaliation

Behavior that may reasonably be perceived to adversely affect one's educational, living, or work environment, due to one's good faith participation in the reporting, investigation, and/or resolution of an alleged violation and/or discourage a reasonable person from making a report or participating in an investigation pursuant to the *Community Standards Process and Procedures*, or any other local, state, or federal complaint process. 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. Retaliation may occur with or without related institutional action having occurred.

16. Theft

Attempted or actual theft or misappropriation of College, public and/or personal property or services. This also includes, but is not limited to, possession of stolen property, conspiracy to steal and identity theft.

17. Trespass and/or Unauthorized Access

Attempted or actual forced and/or unauthorized entry into any room, building, 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, a host and/or other authorization and/or refusing to leave such a space when directed.

18. Unauthorized Use of Computers, Telecommunications Systems and/or Electronic Files

Unauthorized possession, access, duplication or misuse of College property or other personal or public property, such as records, electronic files and telecommunications systems. This includes posting threatening or harassing materials, recording, posting or disseminating images, recordings or photos of another without that individual's permission, misuse or abuse of any computer, computer system, service, program, data, or communication network, especially as defined on the [ITS webpage](#). In determining whether an act constitutes harassing behavior, the College will consider the full context of the behavior(s) and the College's standards regarding speech/expression. Not every act that might be offensive to an individual or a group constitutes harassing behavior and/or a violation.

19. Violation of Other College Policy

Students are expected to understand, and adhere to, all other published College policies, procedures, rules and requirements, beyond which is expressly (though not exclusively) outlined in this document. This includes, the Bookstore, Dining Services, Information Technology Services, Athletics' Student-Athlete Code of Conduct, Libraries, Public Safety, Residence Life and Housing, Study Abroad as well as requirements described in the College Catalog and College website.

20. Violation of Law

Students must comply with all applicable federal, state and local laws, regulations, rules, ordinances and orders. Infractions are subject to institutional action, pursuant to this document.

21. Weapons and/or Other Dangerous Items

Use, possession, manufacturing or distribution of firearms, ammunition, and/or any others weapons or facsimile of weapons including, but not limited to, knives, bows, BB guns, paintball guns, soft air guns, martial arts weapons, swords, brass knuckles, tasers, drones, slingshots, or other projectile or launching devices. This also extends to fireworks, gunpowder, explosives, incendiary devices, dangerous chemicals and/or any other item/material deemed dangerous by College officials.

APPENDIX A: ALCOHOL AND DRUG POLICY

Preamble

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: The Jo Recreation & Wellness Center

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, sex 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 21¹
- 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 one or more of the following:
 - More than the maximum number of attendees (including residents). (See Appendix B, *On-Campus Living Responsibilities: Occupancy and Capacity of Rooms*.)
 - Possession and/or use of a communal source of alcohol (i.e., keg, beer ball, punch, etc.)

¹ In general, room occupants assume a heightened degree of accountability, relative to guests or other non-occupants, for gatherings that occur in their residence hall room at which alcohol and/or other drugs are present. The College reserves the right to consider some, or all, room occupants to be in possession of alcohol, other drugs and/or related paraphernalia if the substance/item is located in their assigned space, regardless of whether or not it was purchased, otherwise obtained, and/or allowed in the room by a room occupant.

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, RSO's 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, *Deferred or Actual* 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. 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.

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 procures any alcoholic beverages for, or serves or sells alcoholic beverages to, a person under 21 years of age on premises owned or controlled by the person charged violates **M.G.L. c. 138, section 34** and is subject to a fine of \$2000 or imprisonment for not more than one year or both.

Anyone under 21 years of age who purchases, attempts to purchase, or knowingly 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 making a false statement about the age of a person under 21 years of age in order to obtain alcoholic beverages for the person under 21 years of age. Unless accompanied by a parent or guardian or in the course of employment, persons under 21 years of age may not carry or transport any alcoholic beverages and are subject to immediate arrest without a warrant, fines and revocation of their driver's license for a maximum of 90 days (**M.G.L. c. 138, section 34C**). First conviction of driving under the influence of alcohol has a penalty of a \$500 - \$5,000 fine, mandatory suspension of driver's license up to one year, up to two and a half years in prison. Subsequent offenses carry higher penalties.

Under Massachusetts law, a host of a party may be held liable for the injuries suffered by others if the host knew or should have known that a guest was drunk and nevertheless gave/permitted the guest to take an alcoholic drink and thereafter, because of the guest's intoxication, the guest negligently caused injury to others. If the guest who causes an injury is a minor (under 21), the host who served the alcohol or permitted alcohol to be served to the minor might be held liable to others even if the minor was already intoxicated when served alcohol.

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 subject to arrest and 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 necessarily an intent to distribute is also forbidden by federal law and carries a penalty of 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 the Commonwealth of Massachusetts.

In addition to federal law, individuals are subject to arrest and prosecution under Massachusetts law:

- 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 has a penalty of a \$500– \$5,000 fine, mandatory suspension of driver’s license up to one year, 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-marijuana-possession> 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 obtain 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.

APPENDIX B: ON-CAMPUS LIVING RESPONSIBILITIES

Residential students and their guests are expected to follow all reasonable directions of Residence Life and Housing personnel, shall adhere to all stipulations of the housing agreement 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 will be billed to all residents unless a specific individual(s) acknowledges responsibility or is otherwise found "in violation" via the *Community Standards Process and Procedures*.

Courtesy and Quiet Hours

Courtesy hours are in effect at all times. It is expected that reasonable requests for an adjustment of 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. 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 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 items and/or prohibited appliances in the rooms. 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
- 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/or 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 eligible to receive a 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 Student Integrity and 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 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 will occur 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. Students are also prohibited from entering or exiting a residence through windows. Facilities staff will immediately dispose of any personal items found in these areas.

OTHER COLLEGE POLICIES

Campus Communications Policy

The College's official means of communication with students includes correspondence delivered to the student's on-campus mailbox or their Holy Cross-provided email account. Students are expected to check these two outlets daily to ensure timely receipt of official communications. Failure to do so does not constitute an extenuating circumstance.

Change of Address

Students are expected to promptly report any changes to phone numbers and/or home or local addresses to the Office of the Registrar. The Registrar will notify other College offices as appropriate.

Copyright Infringement

Students should be aware that unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject an individual to civil and criminal liabilities. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, at its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the website of the [US copyright office](http://www.uscopyright.gov) at www.uscopyright.gov, especially their [FAQs](http://www.uscopyright.gov/help/faq) at www.uscopyright.gov/help/faq. Please refer to the Use of Information Technology Services Policy for a further description of prohibited activities regarding the use of College technology resources.

Dining Services Policies

The following constitute violations of Dining Services Policy:

- Removal of food beyond one piece of fruit or ice cream serving from an all-you-care-to-eat dining hall
- Consumption of any food or beverage at any an "all you care to eat" dining hall without paying
- Consumption of any food or beverage in the service area of a retail eatery, the concealment of food, or the removal of food from any retail premises without paying
- Theft of utensils, dishware, glasses or any other supplies/equipment from a dining hall or catered event.
- Entering, or attempting to enter, a dining hall through an unauthorized entrance.
- Use of another student's identification card to gain access to a dining hall or make a purchase.
- Harassment of Dining Services employees, customers, vendors or visitors
- Possession and/or use of alcoholic beverages, illegal substances or drug paraphernalia in any eatery
- Damage to, or destruction of, Dining Services equipment or facilities

**Dining Services reserves the right to prohibit and/or inspect backpacks or other large bags in their facilities*

Directory Information and Release of Information

The following items are designated as Directory Information and may be released at the discretion of the College. Under the provisions of the Family Educational Rights and Privacy Act of 1974, as amended (FERPA), students have the right to withhold the disclosure of any or all of the categories of Directory Information. Written notification to withhold Directory Information must be received by the Registrar. Directory information includes: Student name, address, telephone number, email address, date and place of birth, photograph, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, class year, enrollment status (i.e., full-time or part-time), degrees, honors and awards received, and the most recent, previous educational agency or institution attended by the student. A request to withhold Directory Information in no way restricts internal use of the material by the College such as the release of academic information to College officials whose positions justify such release of information to them, or to College committees charged with the selection of students for College and National Honor Societies. For the full policy, including a description of student rights, please see the College's Family Educational Rights and Privacy Act (FERPA) – Privacy of Student Records [here](#).

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 their respective Hall Council and the Director 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 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 to the Office of Government and Community Relations at (508) 793-3905.

Solicitation of individual employees and alumni is prohibited. All other solicitation must be reported to the Office of the Vice President of Advancement. All persons associated with approved sales or solicitations must have their College-issued license with them and visible at all times. Otherwise, they are restricted to the Hogan Campus Center and require approval from Auxiliary Services. Suspected violations should be reported to Public Safety. A sales representative (student or non-student) who wishes to solicit on campus must have approval in writing from Student Development. Note: Approval is normally withheld if the item is available through normal channels, such as the College's bookstore and dining facilities.

Guest Policy

- Residential students may not register or host more than two guests at once. Overnight (after 11pm) 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 includes 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 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, voluntary leave from the College must still have a host and be registered in accordance with this policy if/when they intend to visit campus as an overnight guest.

Licensing/Name of the College

The College name, logos, and seal are registered trademarks. No individual or group shall use the name of the College or its marks without prior written approval from the DOS or designee. See the [website](#) for more details.

Nondiscrimination Statement

The College rejects and condemns all forms of harassment, wrongful discrimination, retaliation and disrespect and is committed to sustaining a welcoming environment for everyone, especially for those vulnerable to discrimination on the basis of race, religion, color, national origin, age, marital or parental status, veteran status, sex, disability, genetic information, sexual orientation or gender identity. It is the policy of the College to adhere to all applicable state and federal laws prohibiting discrimination. The College does not discriminate unlawfully in admission to, access to, treatment in or employment in its programs and activities on the basis of a person's race, religion, color, national origin, age, marital or parental status (including pregnancy and pregnancy related condition²), veteran status, sex, disability, genetic information, sexual orientation, gender identity or any other legally protected status, while reserving its right where permitted by law to take action designed to promote its Jesuit and Catholic mission.

Unlawful discrimination, harassment, including, but not limited to sexual violence and sexual misconduct, and retaliation are prohibited and will not be tolerated at the College. Such behavior violates College policies and may result in disciplinary action, up to and including termination or dismissal from the College. To review the College's policies regarding discrimination and harassment and related investigation and resolution procedures, please see the Sexual Misconduct Policy and Equal Opportunity and Discriminatory Harassment Policy.

The College has designated the Director of Title IX and Equal Opportunity (who also serves as the College's Title IX Coordinator and ADA/504 Coordinator) to oversee its compliance with state and federal non-discrimination and equal opportunity laws including, but not limited to, Title IX of the Education Amendments Act of 1972 (Title IX), Section 504 of the Rehabilitation Act of 1973 (504), the Americans with Disabilities Act of 1990 (ADA) and the Age Discrimination Act. Anyone with questions, concerns or complaints regarding discrimination, discriminatory harassment or retaliation may contact the Director of Title IX and Equal Opportunity.

Derek DeBobes, Director of Title IX and Equal Opportunity
Hogan 506, 508-793-3336
ddebobes@holycross.edu

Individuals who believe that they have been subjected to unlawful discrimination, harassment, or retaliation may also file a complaint with government authorities by contacting the appropriate agency listed below:

The U.S. Department of Education

Office for Civil Rights
5 Post Office Square, 8th Floor
Boston, MA 02109-1424
ocr.boston@ed.gov
(617) 289-0111
TDD (877) 521-2172

Equal Employment Opportunity Commission

John F. Kennedy Federal
Building, 475 Government Center
Boston, MA 02203
(617) 565-3200
(800) 669-4000

Massachusetts Commission Against Discrimination

Worcester Office
484 Main Street, Room 320
Worcester, MA 01608
508-453-9630

Boston Office
One Ashburton Pl., Rm. 601
Boston, MA 02108
617-994-6000

New Bedford Office
4800 Purchase Street, Rm. 501
New Bedford, MA 02740
508-990-2390

Springfield Office
436 Dwight Street, Rm. 220
Springfield, MA 01103
413-739-2145

² This includes the right to reasonable accommodations in connection with pregnancy or a condition related to pregnancy including, but not limited to, lactation, or the need to express breast milk for a nursing child.

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 those 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 before eligible students must reapply.
- 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, 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 junior or senior by the time they apply to live off-campus.
- Staff from the Offices of Housing and Residence Life and Student Integrity 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 maintains a list of available off-campus properties as submitted by property owners. 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. This list is maintained for student convenience only. 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 chimineas, fire pits or other outdoor open burning.
- The application process and interpretation of this policy is under the authority of the DOS.

Parking and Transportation

All motor vehicles on campus operated by students (resident and off-campus) must display a current parking decal or temporary permit. Only juniors and seniors are allowed to have vehicles on campus. First and second-year students are not allowed to have vehicles on campus. All students are required to abide by the requirements and stipulations outlined on the College's [student parking webpage](#).

Nonresident Student Drivers

State law requires that the College of the Holy Cross inform all nonresident students (i.e. students who do not permanently reside in Massachusetts) of the following information:

In accordance with [Section 3 of Chapter 90](#) of the Massachusetts general laws, it is unlawful for a nonresident student to fail to file a Nonresident Driver Statement with the police department located in the same city or town as the school or college they attend. Failure to file such statement is punishable by a fine. Under Massachusetts law, if out-of-state students bring cars to campus, but choose not to register the car with the Massachusetts Registry of Motor Vehicles, they must file a nonresident driver statement with the local police department. Regardless of whether or not the student applies for on-campus parking, the student is still required to register as a nonresident driver. After filing the nonresident driver statement with the Transportation and Parking office, students receive the nonresident student driver decal. This sticker is not valid for parking on College Hill or within the Worcester City Limits and must be displayed in the uppermost center portion of the vehicle's windshield. Students should visit the College's Student Parking webpage and contact parking@holycross.edu with any questions and for information regarding how to proceed. Off-campus students living within the Worcester City limits should contact the [City of Worcester's Parking Department](#) for other information on resident parking.

Political Activities

One of the essential elements of the College's mission is dialogue. As such, the College of the Holy Cross encourages all students, faculty and staff to be active in their support of political candidates and issues of their choice. However, as a 501(c)(3) tax-exempt organization, the College is required to comply with the rules and regulations of the Internal Revenue Service that prohibit the College from engaging in any partisan political campaign activity or supporting such activity. To ensure that the College adheres to the IRS prohibitions on political campaign activity, the College has adopted a policy regarding [political activities](#).

Posting and Advertising

Flyers are defined as mail which is received in bulk by the Post Office for distribution to departments, offices, and/or students. Students should consult, and adhere to the terms/conditions of, the [Distribution of Flyers Policy-Post Office](#) before a flyer is printed or duplicated. 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, and flyers by departments of the College and recognized student organizations. They are not intended for the distribution of solicitation materials or advertisements from outside groups or other parties not sanctioned by the College. The Office of Student Involvement (OSI) must approve/stamp all posters/fliers/table tents etc. for any student and/or 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.

Protests and Demonstrations

Community members are expected to dissent and demonstrate in a peaceful and non-disruptive manner. The following are requirements for protests, marches and demonstrations:

- Any assembly, march, protest or display shall not disrupt or otherwise adversely interfere with any operation, event or activity at the College, prevent access to any office, building or other facility, or directly or indirectly threaten the wellbeing or safety of any individual.
- A meeting between planners, Public Safety and the DOS, or designee, must occur at least two business days in advance to discuss and plan any proposed event, general conduct and related expectations.
 - Public Safety and the DOS, or designee, will review the proposed event and approve the time and place of the event and manner in which the event will be conducted in compliance with College policies, protocols, and other requirements. Additional review time may be required depending upon the anticipated event size and/or other factors.

- Public Safety and/or the DOS, or designee, may require safety measures for any event. This may include, but not be limited to, bag and safety checks (with clear 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 ensure the safety of College community members, prevent disruption of, or interference with, any operation, event or activity at the College, or to address any other applicable or relevant detail or circumstances.
- The College reserves the right to change or cancel any approved event, its time, place and manner arrangement, or stop an ongoing event at any time, at the discretion of Public Safety and/or the DOS, or designee, if determined to be reasonably necessary or desirable to ensure the safety of the College community, prevent disruption of, or interference with, any College operation, event or activity, or to address any other applicable or relevant detail or circumstances.

Return from Emergency Assessment or Hospitalization³

Students who are medically evaluated or hospitalized for reasons related to alcohol or other recreational drug use must meet with the Director of Student Integrity and Community Standards or designee. Students returning from any other type of emergency assessment or hospitalization or emergency assessment must meet with the Associate Dean of Students (the “Associate Dean”) 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 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 will consult with the Director of Counseling and Psychological Services and/or the Director of Health Services, 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 will also discuss the availability of reasonable accommodations for students with disabilities through the Office of Student Accessibility Services. All students are required to comply with the recommended treatment plan, as a condition to return to campus. The Associate Dean may recommend additional conditions to return, to prepare the student for a successful and safe return to the College community. Recommended conditions will be tailored to the student’s individual circumstances and are based upon the review of information described above. 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. Recommended 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 or the student’s Class Dean will also discuss voluntary leave of absence options with the student. Please see the Voluntary Leave of Absence Policy for further information.

Smoking and Other Tobacco Use

All buildings at the College of the Holy Cross, including residence halls, are tobacco free. Smoking is also prohibited within 25 feet of all entryways, including the Stein bridge. The complete Smoking Policy is found [here](#).

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.

³ College officials listed as the designated point of contact for any role in this document may designate another College official to assume the role at issue, as necessary and appropriate.