

Review of College Culture, Structures and Procedures Conducted for the College of the Holy Cross by Holland & Knight

Update, November 14, 2018

Phil Catanzano, senior counsel at Holland & Knight started the review of the College's culture, structure and procedures to prevent future sexual misconduct in late August 2018, and began interviews in early September. He has made 11 visits to campus and has conducted some interviews by phone. He has also visited music and theatre spaces on campus.

As of the week of November 5, Mr. Catanzano has conducted 33 interviews, and is working to schedule an additional 5-6 interviews for later this week. These interviews included faculty and staff from 7 academic departments as well as the Chaplains Office, Human Resources, the Office of Diversity, Equity & Inclusion, the Dean of Students, and the Title IX Office. He is also scheduled to speak with Athletics, the Counseling Center, the Provost, and the Jesuit Community. Mr. Catanzano currently anticipates that there will be at least another 20-30 interviews, including circling back with some people and responding to any requests.

The findings from these interviews have been related to a few main themes:

- **First, several individuals have shared concerns about lack of institutional oversight or even departmental oversight of certain College employees.**

To address these concerns, we will be conducting an internal review of the lines of hierarchy and oversight on both a College and departmental level. This will allow people to understand the reporting lines and also create better accountability for professionals on campus. We will be working to ensure that employment documents such as contracts, employment agreements, appointment letters, and job descriptions are thorough and provide a clear sense of role and lines of reporting.

- **Several people expressed concern about safety in isolated areas of campus.**

The Department of Public Safety is taking action to upgrade physical security on campus, including adding cameras in strategic locations. Chief de Jong has hired a new Deputy Chief with a focus on technological security. Informed by interviews by Holland & Knight and other data, the Chief and the Deputy Chief will identify and work on enhancements to increase security and visibility of remote or isolated areas on campus. In addition, the College will review and update, if necessary, its security policies and practices.

- **A variety of concerns have been raised about our Title IX Office and process.**

Principal among the concerns is the speed of the investigation process. While these cases are often complex with many steps and we have an obligation to all individuals involved to be thorough, we are also working to address the concern about the time required for the process. In September, Cheryl Rogers joined the office as Assistant Director/Deputy Title IX Coordinator. Cheryl brings a wealth of experience in higher education and the nonprofit sector in the areas of sexual and relationship violence prevention and response, training and education to increase awareness and support for the LBGTQIA+ community and developing best practices on campus police response, victim services, prevention education and mandatory reporter response to disclosures and formal complaints. The College is also in the process of hiring a full-time dedicated Title IX and Non-Discrimination Investigator, who will serve as our internal College investigator of claims involving violations of our Sexual Misconduct Policy, and will assist as needed to address violations of the Discriminatory Harassment Policy.

Tracy Kennedy, Director of Title IX Initiatives, and Cheryl Rogers are committed to improvement and want your feedback. As you read in her email yesterday, they will be embarking on a listening tour as well as offering a variety of ways for our community to engage with them and to bring forth their concerns, feedback and ideas.

- **Concerns were raised about our policies for campus speakers, discussions, and posting.**

A group of students, faculty, and staff have been meeting since May to frame the questions and issues surrounding freedom of expression on our campus. Next semester we will launch a campus-wide discussion to develop and refine our shared philosophy guiding freedom of expression and how we engage controversial topics in light of our mission of educational excellence, community, and respect for human dignity. This will inform a broader, more uniform, and more transparent policy around campus posting, campus discussions, and who can be invited on campus for lectures.

In addition to the themes that were raised in the review, there are a number of related initiatives about which you should be aware:

- In response to concerns raised by members of the community, the College is reviewing our Clery Act Timely Warning and Emergency Notification practices and will share any

updates to our processes, practices and guidelines as well as language definitions with the campus community.

- As we continue to develop resources and programs to support our students we are identifying new opportunities for collaboration and communication throughout the campus. The College is hiring a consultant to review best practices for coordination of care and communication between and among three departments that provide medical services: the Health Center, Sports Medicine and the Counseling Center. This review will take place in the coming months.
- In order to better promote the positive well-being of our student-athletes, coaches, staff and community, the Athletic Department is committed to providing educational opportunities throughout the school year covering various topics including sexual misconduct and mental health. All staff, coaches and student-athletes were required to complete customized training modules covering these topics by November 1. In addition, all coaches and all other Athletic Department staff are trained annually on sexual misconduct, their responsibilities as “responsible employees” and the College’s Sexual Misconduct Policy. This training is mandatory.
- In the last academic year, the College developed and adopted a [Policy for the Protection of Children](#) which sets forth the specific procedures faculty, staff, and students must follow when working with minors in a Holy Cross program. The policy includes detailed steps including background checks for all adults interacting with children, registration of all programs, informing all authorized adults of their obligation to report actual or suspected incidents of child abuse and neglect to the College and the Massachusetts Department of Children and Families, creation of a code of conduct that establishes prohibited behavior and appropriate boundaries for working with children, training specific to working with children for all authorized adults, requirements for appropriate supervision of both children and authorized adults, and emergency procedures.
- In parallel with planning the ENGAGE Summit, we are considering additional systemic ways to ensure that all of our students engage in discussion and exploration of issues of diversity and social justice.
- A campus climate survey will be conducted next semester to all students, faculty and staff. The survey will serve a variety of purposes related to improvement efforts, benchmarking and planning, and will also provide us a snapshot of current campus climate on which we can act.

I will continue to provide periodic updates on the Holland & Knight review as it moves forward as well as our work in response to the findings. At the conclusion of this work, I will share a summary report including resulting actions, timelines and status with the campus community.

Title IX Office Update:

The Title IX office responsible not only for investigating campus reports of sexual misconduct and discrimination based on sexual orientation, gender identity, and marital or parental status, but also for education and training on sexual misconduct prevention and response. The Title IX office staff is also committed to better educating the community on the process for reporting, investigating and resolving complaints as well as ensuring that the community is aware of available resources on campus. Some of the office's recent and upcoming work includes the following:

- Last week, in response to student requests, and working with members of the SGA, the Title IX office produced resource information stickers listing resources available to individuals experiencing sexual and/or relationship violence which will be posted in residence halls and across campus. These stickers give options for resources to access to speak to someone confidentially about sexual assault, harassment or discrimination; obtain medical or counseling services; or report a claim of sexual assault, harassment or discrimination.
- As part of its efforts to increase the community's understanding and awareness of the College's Sexual Misconduct Policy, the Title IX office will be creating a visual representation of the process for addressing reports of sexual misconduct and a list of FAQs, both of which will be posted to the [Sexual Respect and Title IX](#) website. Additionally, the Title IX office will add a training resources section to its [website](#). These trainings will include online resources on topics such as healthy relationships, sexual assault prevention, and additional Title IX training for faculty, staff, and supervisors. Members of the campus community are encouraged to send training requests and suggestions to titleix@holycross.edu.
- The Title IX office will publish an Annual Report early next semester relative to academic year 2017-18. This report will contain summary information regarding the operations of the office.
- On January 23, 2019, The Title IX office, in partnership with the Office of Student Wellness Programming, the SGA and other campus organizations, will co-sponsor an

event to bring Speak About It, a 60-minute performance about consent, healthy relationships, communication, and bystander intervention to campus. A cohort of 100 students will participate customizing the show to Holy Cross and evaluate this program for future integration into required campus programming.

- As a part of an ongoing effort to raise consciousness about sexual assault and the campus community's central role in its prevention, the Student Government Association ("SGA") and the Title IX office joined efforts to coordinate a campus wide collaboration that includes planning for a sustained "It's On Us" campaign, building upon the College's [2017 It's On Us program](#). The SGA and the Title IX Office are also working together to support a campus wide collaboration to create a multimedia campus marketing campaign throughout the academic year. Efforts are underway to include multiple divisions, incorporate the campaign into the regular programming, and take advantage of new opportunities. In addition, the SGA is joining efforts with the National Jesuit Student Government Alliance (JSGA) to participate in a collective "It's On Us" campaign across all Jesuit Colleges/Universities.
- The Title IX Office, in collaboration with CAB, PRIDE and SGA Diversity, sponsored "A Showcase of Pride, Friday Night Art Series", Friday, October 19, 2018. This was an intersectional event for October LGBTQIA+ Month and Domestic Violence awareness month. The Title IX Office and RPEs staffed an It's On Us Pledge resource table engaging over 50 students in taking the pledge. Students had the opportunity to meet the counseling staff of the local YWCA of Central Massachusetts and Pathways for Change and learned about off campus free and confidential services.
- The Title IX office will expand its training program to include training to each academic department by March 31, 2019. The training program will include specific education on the issue of grooming and detailed information regarding the reporting responsibilities of faculty and staff at the College as responsible employees, including an opportunity for faculty and staff to learn from one another in engaging in conversations with individuals when there has been a disclosure of sexual misconduct.
- In recent years, the Department of Human Resources, the Office of Diversity & Inclusion, the Office of Multicultural Education, the Office of the VP for Mission and the Title IX office, have frequently partnered to provide information sessions and training for students, faculty, and employees on issues of discrimination and harassment. To complement and solidify these efforts, we are now sponsoring an online required training, Respect Happens Here: Prevent Discrimination and Harassment Together. The expectation is that all Holy Cross Employees will complete this online training by

December 15, 2018. The training, designed by EduRisk for Colleges and Universities, consists of about 20-25 minutes of instruction.