



COLLEGE OF THE  
**Holy Cross**

**Community Standards  
Process and Procedures  
2020-2021**

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



At the College of the Holy Cross we are guided by the Ignatian principle of cura personalis, or care for the whole person, and for that reason we take seriously our obligations to ourselves and to one another. In the era of COVID-19 these obligations take on greater significance. Each of us must work to protect the health and safety of all students, faculty, staff and our communities. We will fulfill this commitment to each other by monitoring and following the recommendations of the scientific and medical communities and complying with federal and state laws, requirements and guidance.

Until a vaccine or curative treatment is developed, there is no single strategy that will stop the pandemic or make it possible to return to pre-pandemic life. The 2020–21 academic year will be a different experience for all of us. The COVID-19 pandemic has challenged us to reimagine every aspect of the Holy Cross experience — academic, social, and personal. Taking steps to minimize the risk of COVID-19 infections at the College is a shared responsibility. Consistent with the principle of being people for and with others, all members of our community must do their part and work together to protect the health and safety of those in our College and surrounding communities.

If we have learned anything since March when we had to switch suddenly to remote learning, it is that we will all need to be flexible as we live into this very different Holy Cross experience. As members of the Holy Cross community, students will be expected to adhere to the standards outlined in this document and in related correspondence referenced herein in order not only to protect themselves, one another, and the College and Worcester communities, but also to support our ability to have a full on-campus experience in the foreseeable future.

Sincerely,

A handwritten signature in cursive script that reads "Michele C. Murray".

Michele C. Murray, Ph.D.  
Vice President for Student Affairs/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 in connection with the on-going COVID-19 pandemic, 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, cancelling 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. Students who elect to reside in College residential housing or come to campus should understand that they may be required to leave campus and remain off-campus after a positive COVID test, if the College returns to all remote learning due to a viral outbreak, or in connection with disciplinary action.

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 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. These expectations also apply to all College-sponsored programs, activities and events on or off campus or in remote format in any manner or media (e.g. study abroad activities). The purpose of these proceedings is to provide a fair evaluation of a student's responsibility for violating college policy. Rules of evidence ordinarily found in legal proceedings are not applied, nor shall deviations from prescribed procedures necessarily invalidate a decision, unless significant prejudice to a student or the College may result.

Under the direction of the Vice President for Student Affairs/Dean of Students (also referred to as the VPSA/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 VPSA/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 VPSA/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 VPSA/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 VPSA/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 of our 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.

## **Statement on COVID-19 and Behavioral Expectations**

The College holds as paramount the health, safety and welfare of every member of its community. None of us can guarantee what course the COVID-19 pandemic will take, and none of us – including the College – can guarantee a COVID-19-free environment. The College is committed to the goals of preventing the spread of COVID-19 and reducing the risk of exposure to COVID-19 for all of its community members. Even with these mitigation measures and students' full compliance with COVID-19 guidance, it is unfortunately not possible to completely eliminate the risk of COVID-19 infection on campus. It is likely that there will be cases of COVID-19 on campus during 2020–21. It is possible that students that are permitted to come to campus may become ill and spread the disease to others in their residential housing, in their classes, and others on campus. It is also possible that some students will become infected during their time at the College and spread it to family members and any other people they have close contact with outside of the College. The College certainly does not wish this on anyone, and we are taking recommended steps to mitigate this risk, but the College cannot categorically guarantee this will not happen. By coming onto campus, each person should understand that this is possible.

All students returning to campus in any capacity must comply with the restrictions, requirements, and behavioral expectations the College and state and local authorities are putting in place to promote public health with respect to COVID-19. In addition to what is stipulated in this document, compliance with all expectations in the [Holy Cross Community Commitment](#), the [COVID-19 Response and Reopening](#) website [FAQ](#) or other policies or applicable law or guidance will be a condition of accessing residence halls, classrooms, dining locations, and services on campus. Failure to comply with any of those expectations may result in a forfeiture of campus access and/or removal from College housing, in addition to other disciplinary measures, such as suspension or dismissal from the College.

## **Accommodations for Individuals with Disabilities**

If any person requires an accommodation because of a disability to access any part of this process, the student may make that request to the Office of Accessibility Services by telephone at 508-793-3693 (students). Any accommodations will be provided in consultation with the Director.

## **Advisors**

A respondent, complainant and/or witness may have a single advisor with them at an Administrative Hearing or Community Standards Board hearing. An advisor may not be an attorney or a family member and 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, including scheduling, generally will not be made for any advisor. The advisor is not permitted to attend a meeting or proceeding without the student they are advising also present without the prior approval of the Director and at the Director's discretion. 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.

## **Audio 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 (including attempts to duplicate) any recording. An appellant may request to review the audio recording by contacting the Director in writing. This review must occur on College property, unless otherwise noted, and is available only to the appellant and their advisor.

## **Community Standards Records**

Personally identifiable Community Standards records of students are considered education governed by the Family Educational Rights and Privacy Act of 1974 (**FERPA**). Records are maintained in the Office of Student Integrity and Community Standards and may be disclosed as permitted and required by law. Please see the College's Directory Information Statement for further information. Community Standards records may be used to

complete clearance forms requested by other institutions of higher education and background checks by prospective employers. As a response to generic external background check requests and other broad external requests for Community Standards history, with the student's prior written consent, the College will disclose records resulting in a sanction of College Suspension or College Dismissal as well as records resulting in a sanction of College Probation if the student is enrolled at the time of the request.

## **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 Vice President for Student Affairs and Dean of Students to conduct a review of a Community Standards decision.
2. **"Business day"** means any day, Monday through Friday, that the College is open.
3. **"Community Standards administrator"** means a College staff member who is authorized to facilitate a Community Standards proceeding to determine the appropriate resolution of an alleged violation of the College's Community Standards, and/or to impose sanctions or affect other remedies as appropriate (also referred to as facilitator and/or panelist).
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. In the absence of a student complainant, the College is the complainant.
5. **"Respondent"** means any student alleged to have violated the College's Community Standards.
6. **"Students"** include all persons (other than faculty, staff or administrators) who have accepted an invitation of admission to the College, who are enrolled in, or taking or auditing College courses, either full or part-time, in-person or remotely. Persons who are not currently enrolled for a particular term, or are between terms, but who have a continuing relationship with the College (e.g. students on a temporary leave with an intent to return) are considered students.
7. **"Witness"** means any individual who has direct knowledge of an incident. Character witnesses are not part of the Community Standards process.

## **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 during the pendency of criminal proceedings 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 VPSA/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 VPSA/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 VPSA/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 VPSA/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 VPSA/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 VPSA/DOS or Director, in consultation with appropriate administrators, determines, in his, her or their sole discretion, that 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 in the event facilitator and/or panelist availability is significantly affected. The terms of any sanction may be modified and the selection of sanctions is not limited to what is outlined solely in this document.

## **No-Contact Order**

A No-Contact Order 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. While it may also take the form of a sanction, it does not, on its own, indicate that a violation of College policy has occurred and does not constitute any admission of responsibility. These orders are generally reciprocal, specific to persons and/or locations and prohibit students from having any further 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 Order may be imposed regardless of whether or not a Community Standards matter is pending. Failure to comply with the terms of a No-Contact Order constitutes a serious violation of College policy and may result in an interim removal from the 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 VPSA/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. This information is shared to communicate concerns and assist in the success, development and education of students.

### **Privacy**

All parties are expected to respect all privacy considerations associated with the Community Standards process including, but limited to, administrative charges, findings and/or sanctions. Student participants and advisors should not discuss case details or incident circumstances outside of an authorized Community Standards proceeding. Any actions that are deemed to be inconsistent with this expectation of privacy may constitute a subsequent violation and/or be treated as grounds for removal from a proceeding. Any implied or actual act of intimidation, harassment or retaliation is strictly prohibited and may result in additional administrative charges.

### **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.

### **Student Groups**

Student groups, including teams, clubs or any other student organization may be held collectively responsible, and/or in addition to their members being held individually, responsible for Community Standards violations. When allegations against a student group are made, the officers, captains and/or leaders of a particular registered student organization are often expected to represent the organization throughout the process. Sanctions for student groups may include revocation or denial of registration or recognition, suspension of organizational activities for a defined period of time and/or other sanctions appropriate to the circumstances.

### **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. The decision whether to approve or deny such a request is final.

### **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 VPSA/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 (508-793-3475) or in-person (Hogan 109). A referral should include the following information (at a minimum):

- 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 VPSA/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

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

- A case is held for further information/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 of the administrative charges outlined. If one or more violations occur, a separate determination is made as to what the appropriate(s) administrative sanctions, if any, should be.
1. Administrative Conference: An Administrative Conference typically involves a meeting between a Community Standards administrator and a student.
  2. Peer Conduct Advisory Board (PCAB) Hearing: Peer Conduct Advisory Board (PCAB) Hearings are facilitated by students appointed to the Student Government Association's Judicial Council. PCAB finding and sanction recommendations are reviewed and approved by the Director before being presented as final.
  3. Administrative Hearing: An Administrative Hearing permits one or more administrators to adjudicate pending matters that may result in sanctions up to *College Suspension* or *College Dismissal*.
  4. Community Standards Board (CSB) Hearing: A Community Standards Board (CSB) Hearing permits a panel of one faculty member, one administrator and one student to adjudicate pending matters that may result in sanctions up to *College Suspension* or *College Dismissal*.

5. Mediation / Restorative Justice: With the prior approval of the Director disputing parties may agree to resolve a pending matter via mediation or restorative justice conference. Resolution is achieved when the Director, facilitator(s) and 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 in the sole discretion of the Director.

#### Administrative Hearing and Community Standards Board (CSB) Hearing Procedures

Prior to a hearing, a respondent and any complainant has the right to meet separately with the Director to review information that is the basis of the allegation(s) and discuss procedural questions. This is not a requirement and must be initiated by written request by the student to the Director. As a general practice, but not a requirement, all relevant case materials with respect to that student are made available to respondents, complainants and facilitators ahead of a hearing. Any remaining 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. In certain situations, it may be necessary for the Director to adjust this timeline. The identity of specific hearing facilitator(s) is also provided to the respondent and complainant in advance. If any party suspects a potential conflict with a facilitator, the Director must be notified in writing immediately.

The hearing facilitator(s) and/or panel determines the relevance of information and/or questions submitted at the time of the hearing and whether any witnesses are permitted into the hearing. The hearing facilitator(s) and/or panel will exercise control over the proceedings to avoid needless consumption of time and to achieve orderly completion of the hearing. The hearing facilitator(s) and/or panel may recess the hearing at any time, may exclude any individual(s) who may be disrupting the proceeding and has final authority on all procedural matters during the hearing. The Director may meet with a hearing facilitator(s) and/or panel for consultation regarding procedural questions at any time prior to, or during, a hearing or deliberations.

#### Appointment

The Provost and Dean of the College appoints faculty panelists. Staff and student board members are appointed by the Vice President for Student Affairs/Dean of Students. Peer Conduct Advisory Board (PCAB) members are appointed by the Student Government Association. All facilitators and/or panelists must complete a required training facilitated by the Office of Student Integrity and Community Standards upon appointment. In consultation with the Provost and Dean of the College and/or the VPSA/DOS, the Director may substitute and/or dismiss any facilitator and/or panelist when appropriate.

#### Administrative Hearing and Community Standards Board (CSB) Hearing Agenda

- I. Audio recording begins. All persons present introduce themselves and identify their respective roles.
- II. Procedural points/questions of note are addressed and administrative charge(s) are read aloud.
- III. The respondent and complainant are provided the opportunity to respond to the charge(s) and/or all related case documentation. One party may also request that a specific question be directed to the other. All questions must first be directed to the hearing facilitator(s) and/or panelist(s) who will determine relevancy. No student may directly question and/or cross-examine another participant.
- IV. The hearing facilitator(s) and/or panelist(s) may ask the respondent or complainant questions.
- V. The respondent or complainant may request that a witness appear (with supporting rationale). Hearing facilitator(s) and/or panelist(s) have sole discretion to determine whether or not a witness is permitted to appear.
- VI. The hearing facilitator(s) and/or panelist(s) may ask the respondent and complainant any remaining questions and may ask that any remaining questions be submitted by the respondent and complainant for consideration. The respondent and complainant are each provided the opportunity to present any/all closing remarks.
- VII. The hearing is in recess and the audio recording is paused. The facilitator(s) deliberates privately to determine a finding of "in violation" or "not in violation" for each administrative charge.
- VIII. The hearing and the recording resume. Findings and rationale are presented to the respondent and complainant separately.
- IX. The respondent and complainant may return to the same space and may provide impact statements

verbally and/or in writing. Neither party may critique and/or scrutinize the other's impact statement. Any inappropriate language and/or treatment may result in the immediate termination of a statement and/or removal from the hearing

X. The hearing closes and the audio recording ends.

#### Sanctioning Officer

If a hearing yields one or more finding(s) of "in violation," an independent College official appointed by the VP/SA/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 College official will also have access to the hearing recording. Final written notification of all findings/sanctions is provided once the sanctioning determination process is completed.

### **ADMINISTRATIVE SANCTIONS**

Because each violation of the College's Community Standards is different, involving different factors and individuals, it is difficult to prescribe standardized sanctions for all violations. Students can expect the assignment of a status sanction in cases where there is one or more finding of *in violation*. The five status sanctions are as follows:

1. **College Warning:** *College Warning* is formal written notification to the student that their behavior constitutes a violation and that any additional violations may result in further institutional action.

2. **Residence Hall Probation:** *Residence Hall Probation* marks a period of time (typically sixteen weeks) during which a student must demonstrate their willingness and ability to comply with the College's Community Standards. Any violations during this period may result in additional institutional action, which may include one or more weekend removal(s) from all residence halls. A record of *Residence Hall Probation* may preclude a student from on-campus employment, from receiving permission to live off-campus and/or study abroad.

3. **College Probation:** *College Probation* is 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 regain specific privileges and/or return to "good disciplinary standing" with the College. After six months (unless otherwise noted in a student's decision letter) from being placed on *College Probation* the student may apply for a review of their probationary status. The student will need to demonstrate significant contributions, both of an academic and co-curricular nature, to the College community. Following a comprehensive review of the student's request, it will be determined if the student will continue on probation or if the probation is lifted. This decision is final and not subject to appeal. If it is decided that *College Probation* will continue, the student may re-apply in another six months after the decision.

*College Probation* is a serious matter. While on *College Probation*, there are certain privileges not afforded to a student. A record of *College Probation* will likely preclude a student from certain types of on-campus employment, student leadership positions, and/or from receiving permission to live off-campus and/or study abroad. There is also the possibility of suspension or dismissal if the student is again found in violation of the College's *Community Standards Process and Procedures*, regardless of the nature of the violation.

4. **College Suspension:** *College Suspension* prohibits the student from attending the College and from being present on College property or at any College-sponsored program, activity or event (including participation remotely 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 are not entitled to any refund. Students who are suspended must complete all other assigned sanctions prior to petitioning for reenrollment.

5. **College Dismissal:** *College Dismissal* is the permanent separation of a student from the College.

The following sanctions may be assigned, individually, or in various combinations, to any student and/or student organization found in violation of the College's Community Standards Process and Procedures. This is not an exhaustive list of sanctions:

### **Alcohol and/or Drug Education**

Students found responsible for violating the Alcohol and Drug policy may be sanctioned to complete an educational assignment related to substance use / abuse. This may include required off-campus counseling.

### **Loss of Privilege(s)**

The limitation or denial of specified privileges for a defined period of time (e.g., guest, computer/network, housing lottery, residence hall visitation, dining services, living off-campus, representing the College at an athletic event, co-curricular activity, work study job, ability to access campus or other College resources, loss of leadership opportunity or positions in activities, loss of awards and/or honors etc.). This also includes restricting participation in events such as senior week and/or 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 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).

### **Off-Campus Living Probation**

Serves notice to students who are living off-campus that any future disturbances or police calls to their apartment or house, can result in the revocation of one's off-campus living privileges or ability to access College property, regardless of the financial impact of a lease or other legal obligations. Students who have their permission revoked may be required to return to on campus housing with its attendant expense, move to another housing arrangement approved by the College or have their ability to access College property terminated.

### **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 or complainant has the right to appeal any Community Standards resolution when there is a sanction of *College Suspension* or *College Dismissal*. 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.

If the appellate body grants an appeal, the matter may be referred to the original decision-making body for a re-opening of the proceedings to allow reconsideration of the original determinations or the appellate body may alter any finding and/or sanction directly. If an appeal is denied, the matter shall be considered final and binding upon all involved.

## **PROHIBITED BEHAVIOR**

As members of the College community, students have an obligation to uphold certain behavioral standards as well as to 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 behavioral 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 of College's Community Standards. 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 a 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*.
- Attempting to discourage or retaliate against an individual because of the individual's proper participation in, or use of, the *Community Standards Process and Procedures*.
- Attempting to intimidate or retaliate against a Community Standards administrator, member of the hearing body, or any other participant 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 the following:

- 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, hosting a gathering that is overcrowded and/or without safe and/or reasonable means of access and egress. It also includes knowingly exposing an individual who is unaware of the risk to an individual with COVID-19.

## **7. Failure to Comply**

Uncooperative behavior and/or failure to comply with the directives of, College officials, government officials or law enforcement officers acting in the performance of their duties during an emergency or non-emergency situation. This also includes knowingly providing incomplete information, or outright refusing to respond, to a College official.

\*This includes, but is not limited to, any failure to comply with any policy, procedure, rule, requirement, instruction required by the College or by law or governmental order with respect to COVID-19.

## **8. False Information**

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

- College document or other document
- Written, electronic and/or oral statement provided to a College official
- 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, with student-athletes adhering to all related guidelines pursuant to NCAA regulations.

## **10. Harming Behavior**

Includes, but is not limited to, the true threat of, or actual, physical assault or abuse and 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: causing physical or emotional harm to the individual or 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), giving due consideration to the protection of College climate, institutional standards regarding speech rights, academic freedom and advocacy. 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.

\*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 under Title IX and the Sexual Misconduct Policy. Please contact the Director of Title IX and Equal Opportunity (ddebobes@holycross.edu) to discuss any concern.

For such activities to be considered hazing, forced or mandated participation is not required. 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. New members/rookies often feel the need to endure subtle hazing to feel like part of the group or team. 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.**

## **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 detectors and safety equipment with respect to COVID-19 such as Plexiglas barriers. Smoke detectors must never be covered, removed, blocked or otherwise tampered with by any means. Intentionally or carelessly triggering, discharging, damaging, and/or tampering 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 that may include 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 report this information to Public Safety, Residence Life, Worcester Police and/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 / Vandalism**

Intentionally, 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 intimidation, threats, or coercion to the degree that it pressures any individual to participate, not participate, or provide false or misleading information during any Community Standards proceeding outlined herein. It may also include attempted and/or actual harassment, abuse or violence. Retaliation can involve one or more student(s) or organizations(s) and may constitute a violation even if/when an underlying report made did not result in a finding of "in violation."

### **16. Theft**

Theft of College, public and/or personal property including, but not limited to, possession of stolen property, attempted theft, conspiracy to steal, misappropriation of College property or services, misappropriation of personal property and identity theft.

### **17. Trespass and/or Unauthorized Access**

Attempted or actual forced and/or unauthorized entry into any room, structure and/or building or unauthorized access to any College property or resource (including electronic resources). This includes being in another student's room or suite without their permission, entering and/or being in a residence hall without invitation and/or 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 also includes, but is not limited to, posting vulgar, abusive 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, particularly (though not exclusively) as defined by College ITS policies found on the [ITS webpage](#).

### **19. Violation of Other College Policy**

Students are expected to understand, and adhere to, all other published College policies, procedures, rules and requirements many of which are expressly (but not exclusively) outlined in other sections of this document. This includes, but is not limited to, the Bookstore, Dining Services, Information Technology Services, Athletics, Libraries, Public Safety, Residence Life and Housing, as well as the requirements described in the College Catalog and College Website and COVID-19 Response and Reopening web pages.

### **20. Violation of Law**

Students must comply with all applicable federal, state and local laws, regulations, rules, ordinances and orders. Violations may be subject to institutional action, pursuant to the College's *Community Standards Process and Procedures*.

### **21. Weapons and/or Other Dangerous Items**

Use, possession, 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 Wellness Programming, 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 Center (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: Champion House

#### Office of Wellness Education (Private, Not Confidential)

Phone: 508-793-2302

Campus Location: Loyola 110

## **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 nonconsensual 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 hydroxybutyrates)

- Often combined with alcohol
- Also known as Liquid Ecstasy
- 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 related to COVID-19 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 (on-campus guests are prohibited until further notice), 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 and/or the College's COVID-19 risk mitigation directives for the use of face coverings and social distancing. 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 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 College activities. 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 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 to encourage or deliver a high volume or rapid delivery of alcohol)
- Attending a gathering where alcohol is being consumed while under the age of 21<sup>1</sup>
- Possession/use of marijuana (including edibles and oils) on campus or in connection with College activities
- Possession/use of other illegal drugs and other controlled substances. This includes unauthorized possession or 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 bongos, 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. This includes possession or use of paraphernalia used for drinking games.
- 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
  - Students 21 years of age or over may only possess or consume alcohol in the following locations:
    - Their own private student room
    - Hogan campus center upon approval (e.g., at the campus Pub or at Special Events at which alcohol is expressly permitted)
    - Residence hall social rooms or other designed area upon registration and approval
    - Events where alcohol possession is licensed by the City and approved by the College

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<sup>1</sup> In general, room occupants assume a heightened degree of accountability, relative to guests (no guests are permitted until further notice) or other non-occupants, for gatherings that occur in their residence hall room at which alcohol is present. The College reserves the right to consider some, or all, room occupants to be in possession of alcohol 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 one or more of the room occupants.

- Participating in or hosting an unauthorized alcohol gathering, which involves 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.)
  - Drinking games and/or disruptive levels of noise
  - Attendees who fail to provide identification when requested

#### Reasonable Limits of Alcoholic Beverages

The College sets the following parameters regarding the maximum amount of alcohol that each student age 21 or older may possess in order to promote the responsible use of alcohol by students who are of legal age:

- Students Living in a Single or Double Occupancy Room
  - 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)
- Students Living in a 3, 4 or 6-person suite, or on-campus apartment
  - Beer: 60 - 12 Oz Cans **OR** Wine: 4 Bottles (750 ML each max.) **OR** Hard Liquor: 2 Liters  
(or any combination of the above, e.g., 2 bottles of wine & 30- 12oz cans)

Students may still be held accountable for disciplinary violations if their use or consumption of alcohol results in violations of this policy or other applicable standards of conduct, even if they adhere to the maximum possession amounts set forth above.

#### Alcohol Related Promotional Items

Individuals and/or organizations, teams, and clubs are not allowed to use images of alcohol (i.e., flyers, t-shirts, posters and/or by electronic means) to promote events or their organizations. Favors or prizes to commemorate specific events for students under 21 years of age may not include beer mugs, wine glasses, brandy glasses, flasks, shot glasses or other alcohol related paraphernalia to promote events or their organizations. Any exceptions for students 21 years or older must be approved in advance by the Dean of Students Office. Student groups or organizations affiliated with the College may not hold fundraising events at venues where alcohol is served.

#### Athletic Events and Tailgating Policy (Not permitted until further notice)

Alcoholic beverages may not be brought to athletic events, nor may they be consumed at such events. This prohibition includes intramural and club sports as well as spectators at varsity athletic contests. Although the College does permit tailgating for football games, the following rules (in addition to all other rules in this policy) apply:

- Freshman Field and the Baseball Field will be open for tailgating three (3) hours prior to kickoff
- No kegs or other common source large quantities of alcohol will be allowed at any time
- At game time, Public Safety and/or the Worcester Police Department will clear both fields. Individuals will be asked to enter the stadium or leave the premises. Those who refuse to vacate the field will be viewed as trespassers and may be subject to police action.
- No individual will be permitted to exit the stadium and linger on Freshman Field during the game (including half-time). Under usual circumstances, once individuals have left the stadium, they will not be readmitted and must leave the parking areas.
- Full tailgating, that is, set-up of grills, tables, etc., will not be allowed on either field after the game. Individuals must leave the area in an orderly fashion after a reasonable period of time, with the expectation that all fields will be cleared within one hour after the game.

#### Events Where Alcohol Is Served

The following guidelines apply to approved on or off-campus student events where alcohol is served. The approval process is available through the VPSA/DOS Office.

- Open bars and the serving of shots are prohibited.
- If the College has designated separate area(s) where alcohol is to be served/consumed, students must comply with those designations.
- The College may require wristbands, tickets, or other appropriate methods be used for identification purposes and/or for limiting drinks to a specified amount, and students must comply with those requirements.
- 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 must be refused entry to and/or removed from the event.
- Typically, the length of time for serving alcohol is limited to two hours, unless a different decision is made by authorized College personnel in consultation with the event organizer(s), which may occur on a case-by-case basis.
- 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 Other Drug Policy may result in any of the following administrative sanctions or a combination thereof: College Warning, Residence Hall Probation, Residence Hall Removal, College Probation, College Suspension and/or College Dismissal; financial restitution, fine, community restitution, alcohol or other drug assessment, counseling and/or education programs as deemed appropriate. Possession of unauthorized kegs, beer balls, 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 expelled from the College. The College may conclude a student is dealing drugs or controlled substances if the student possesses a quantity of illegal drugs not consistent with personal consumption 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 not consistent with personal consumption.

### **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.

In addition, 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 anywhere where smoking tobacco is prohibited.
- Possessing an open container of marijuana or marijuana products in the passenger area of any motor vehicle.
- 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 obtains marijuana accessories under Massachusetts law. Of course, as noted above, the College prohibits students from possessing any such “drug paraphernalia” as a matter of College policy.

## **APPENDIX B: ON-CAMPUS LIVING RESPONSIBILITIES**

Campus housing is a privilege extended to individual students by the College. Students who live in the residence halls agree, by choosing a residential experience, to conduct themselves in a manner that is conducive to creating and maintaining an atmosphere of academic excellence, personal growth, and mutual respect. Students are responsible for adherence to all stipulations of the housing agreement, for the condition and contents of their rooms and for the actions that transpire within their rooms. Students and their guests (no guests are permitted until further notice) must follow the directions of College staff members, including Area Coordinators and Resident Assistants. The accrual of an adverse Community Standards history may result in loss of points in the upperclassmen Housing Selection Process (HSP) and/or an inability to be approved for off-campus living, in addition to sanctions imposed pursuant to the College's *Community Standards Process and Procedures*.

### **Alteration of Rooms**

Students may not paint their rooms. Each student signs a *Room Inspection Form* (RIF) during the first week of the academic year. This form serves as the official record of the condition of each room. Any damages not reported on the form that are then documented later the year will be billed to the occupants of the room. 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 who do not complete a checkout will be fined and lose any ability to appeal other assessments. Students should contact a staff member prior to making any room alterations in order to confirm that the alteration is acceptable. The following is a partial list of prohibited alterations that often cause damage or pose a safety risk:

- 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)

### **Bedroom Keys and Combinations**

Under no circumstances should students share their room combinations with anyone other than their roommate(s). Students may request a new combination but will be charged \$35.00 for the work to be completed. There may be an overtime charge for requests made outside of normal business hours.

### **Businesses and Fundraising**

Students are prohibited from operating any for profit business on College property or using of College resources. In addition, any off-campus business wishing to solicit or deliver products or services to the residence halls must also be authorized to do so in accordance with the College's vendor/business procedures. This includes, but is not limited to, approval by the Director of Residence Life and Housing. The Office of Student Involvement (OSI) must approve/stamp all posters/fliers/table tents etc. for clubs and organizations before these items can be posted in the residence halls.

### **Postings in the Residence Halls**

The Office of Student Involvement (OSI) must approve/stamp all posters/fliers/table tents etc. for individual students, clubs and organizations before these items can be posted in the residence halls.

### **Common Space in the Residence Halls**

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*.

### **Damage to Rooms, Suites and Apartments**

Residents must immediately report damage or any maintenance issues to Residence Life staff. Residents are responsible for any non-accidental damage and/or vandalism in accordance with the *Community Standards Process and Procedures*. Residents will be assessed for the costs associated with the removal of excess trash or debris. Any appeal of damage billing must be submitted by the student resident to the Department in writing

and received no later than January 15<sup>th</sup> for fall semester damage and June 30<sup>th</sup> for spring semester damage. Residents share responsibility for the state of common areas in their respective residence hall and are expected to resolve incidents that affect their communities in order to avoid shared common-space charges.

### **Hall Sports**

Certain activities permitted outdoors are prohibited in the residence halls, given the added risk of injury and/or property damage. 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 hover boards and/or any other behaviors or activities that might constitute excessive horseplay.

### **Health and Safety**

Designated College officials, which are often Resident Assistants, are 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.

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

- Stand-alone microwaves (approved MicroFridge units are excluded from this list)
- Curtains / window hangings / tapestries
- 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)
- Halogen lamps
- Live Christmas trees/wreaths and decorative lights
- Flammable liquids and/or gas-powered equipment
- Water toys and/or mini pools
- Space heaters, heat lamps
- Unauthorized wireless routers
- Window and/or portable air conditioners
- Cinder blocks or other unauthorized bed risers
- Improvised or other unauthorized lofts
- Weight-lifting equipment or other large exercise items
- Curling irons/hair straighteners must be used in common bathrooms where such facilities exist
- Grills, hibachis, LP tanks, charcoal, lighter fluid or other outdoor cooking items

#### Safe Evacuation During a Fire Alarm:

- Ensure that it is safe to leave your room by checking your room door for heat or other signs of fire
- 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

### **Housekeeping and Laundry**

Residents are responsible for the cleanliness of their room and residence hall. Building services staff who assist are in the residence halls Monday through Friday, 8:30 a.m. to 3:00 p.m. to clean common areas, bathrooms, and to empty trash in student rooms several times a week. Students should report washer and dryer malfunctions to the Campus Center Conference Services Office located in the Hogan Campus Center room 510 or by calling 508-793-2564.

### **Furnishings**

Only two items may be 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 staff before removal. Any/all

necessary paperwork must also be completed. Only College-owned mattresses are permitted in the residence halls. 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 missing items removed improperly or without a work order on file.

### **Liability for Lost or Damaged Property**

The College assumes no responsibility for the loss of, or damage to, a resident's personal property, nor is the College responsible for property loss and/or damage during move-in/move-out and/or during vacation periods or after termination of residency. Students and/or families are strongly encouraged to purchase personal property insurance or extend any existing homeowner's insurance to cover loss or damage to personal property in the residence halls.

### **Maintenance Requests**

Residents should report any necessary repairs in their room or common area to Residence Life staff who will place a work order request with the Facilities department. Issues requiring immediate attention (plumbing, heating, electrical, etc.) should be reported to either the Department of Residence Life and Housing ext. 2411, during business hours (M-F, 9 a.m. to 5 p.m.) or the Department of Public Safety at ext. 2224 outside of normal business hours, on weekends and holidays.

### **Musical Instruments**

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. Designated "practice rooms" are available to students who participate in College-organized ensembles and are coordinated by the Music Department (subject to change for the 2020-2021 year).

### **Occupancy and Capacity of Rooms**

The College may reassign students to different residence hall rooms and/or halls at any time. The College also reserves the right to use unoccupied space and/or beds in any residence hall and to determine the number of students assigned to a room (e.g., assigning a roommate to a student living in a single room that could reasonably house two students). Strong efforts to provide notice to any/all impacted residents are made. Some situations may require immediate assignment. 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. Unauthorized occupancy including, but not limited to, early arrival or late stay, will result in a \$100.00/day charge, a referral to the Office of Student Integrity and Community Standards and/or removal from the residence. **Refer to the College's COVID-19 website for the occupancy limitations during the 2020-2021 year).**

### **Pets**

A "pet" is an animal kept for ordinary use/companionship and not considered a Service Animal or an Assistance Animal. With the exception of fish (10-gallon tank maximum), no pets are permitted on College property. More information may be found at the College's [Service Animal and Assistance Animal Policy](#).

### **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. and noise should not be heard beyond the confines of an individual's bedroom.

### **Room Changes**

Students should first discuss the idea of a room change with their roommate(s) and/or their Resident Assistant. A "room freeze" is in effect for the first three weeks of each semester where residents must remain in their assigned space. When the "room freeze" expires, residents may request a room change with their respective professional Residence Life staff member and complete all related documentation. Unauthorized room changes result in a \$100.00/person fine and a referral to the Office of Student Integrity and Community Standards.

### **Smoking and Other Tobacco Use**

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.

## **Summer Housing**

Summer housing is limited. The College prioritizes requests based upon length of stay and student need (e.g. academic, employment, internships, and athletics). Students should speak with Residence Life staff as early as possible to plan for their summer housing needs. Violations of College policy during the summer months may result in the loss of summer housing privileges. The College calculates summer housing fees at a weekly rate.

## **Storage**

Storage of personal belongings over the summer months or a semester away may be coordinated through *College Boxes*. This vendor will provide boxes, pick-up, store and return boxes to student rooms. This vendor is insured and has an exclusive contract through the Student Government Association, making it the only vendor of its kind allowed in the residence halls. On-campus storage for personal belongings is not available.

## **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 the window glass or obstruct the proper operation of College owned-shades/curtains. Tampering with, damage to and/or removal of window riser restrictors and/or screens will result in a minimum charge of \$100.00 per item. 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. 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 (subject to change for the 2020-2021 year) or their Holy Cross-provided email account (not changing). 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.copyright.gov) at [www.copyright.gov](http://www.copyright.gov), especially their [FAQs](http://www.copyright.gov/help/faq) at [www.copyright.gov/help/faq](http://www.copyright.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
- Fraudulent use of a *Crusader OneCard* Holy Cross ID, which includes attempting to use someone else's card to either gain access to a dining hall or to make a purchase

- Harassment of Dining Services employees, customers, vendors or visitors
- Possession 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. Please 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. Outside vendors are not permitted on campus during the 2020-2021 year. 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 Affairs. Note: Approval is normally withheld if the item is available through normal channels, such as the College's bookstore and dining facilities.

### **Guest Policy**

In order to limit the spread of COVID-19, it is necessary to limit contact between people, particularly in the residence halls. Accordingly, absolutely no guests from outside the College will be allowed in residence halls until further notice. Students will be required to abide by all room occupancy limits and inter/intra residence hall restrictions.

### **Licensing/Name of the College**

The College has developed a licensing program for the use of its trademarks and other symbols (marks) which have become associated with the College. The College name, logos, and seal are registered trademarks. The purpose of the licensing program is to protect the name and logos of Holy Cross from undesirable commercialism and to protect the College's integrity and legal liability through our internal quality assurance and product approval process. Special attention should be paid to t-shirts produced by any student. No group of students or individual shall use the name of the College or its marks unless authorized by the Vice President for Student Affairs and Dean of Students and/or the Director of Auxiliary Services.

## **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 condition<sup>2</sup>), 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  
O'Kane Hall, Room 175  
508-793-3336, [ddebobes@holycross.edu](mailto: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, 8<sup>th</sup> Floor  
Boston, MA 02109-1424  
[ocr.boston@ed.gov](mailto: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

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<sup>2</sup> 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

The College of the Holy Cross is an integral part of the College Hill neighborhood and the City of Worcester. Maintaining amicable and considerate relationships between the College and local residents is essential to the College's mission. *(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 Affairs).*

- 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 room selection held during the subsequent spring semester.
- 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.
- A student's disciplinary history is a factor in the approval process. Students with any history of *College Probation* are not eligible for off-campus living. 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 VPSA/DOS.

## **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](#). Please contact the Director of Government and Community Relations at (508) 793-3905 with any questions.

## **Posting and Advertising**

Flyers will be defined as mail, which is received by the Post Office for distribution to departments, offices, or students. It is recommended that prior approval pursuant to the [Distribution of Flyers Policy](#) be obtained before the flyer is printed or duplicated. Election campaign flyers will not be distributed.

Use of Post Office Mailboxes and the Distribution of Literature: 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.

## **Protests and Demonstrations**

All members of the College community have a responsibility to help build and preserve a climate favorable to maintaining a free exchange of ideas and expression. Implicit in this exchange is the requirement to dissent and demonstrate in a peaceful and non-disruptive manner. The College requires that those who enjoy this privilege also accept responsibility for their actions and for maintaining order. 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 the Vice President for Student Affairs/Dean of Students, or designee, must occur at least two business days in advance to discuss and plan any proposed event. Planners should understand that additional review time may be required depending upon anticipated size of the event and/or other factors.
  - During this meeting, general conduct, expectations and previously-scheduled events are reviewed.
  - The VPSA/DOS 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.
  - The VPSA/DOS may require safety measures for any event. This may include, but not be limited to, bag and safety checks (in which case participants will be notified through clearly posted signs 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, to prevent disruption of, or interference with, any operation, event or activity at the College, or to address any other applicable, relevant detail.

The College reserves the right to cancel an approved event, change any approved time, place and manner arrangement for an event, or stop an ongoing event at any time, in the discretion of the VPSA/DOS or other College Official, if determined to be reasonably necessary or desirable to ensure the safety of College community member(s), to prevent disruption of or interference with any operation, event or activity at the College, or to address any other applicable and relevant circumstances.

### **Return from Emergency Assessment or Hospitalization<sup>3</sup>**

Intoxicated or impaired students who are medically evaluated or hospitalized for alcohol or recreational drug use are required to have a meeting with the Director of Student Integrity and Community Standards or designee. All other students returning from hospitalization or emergency assessment are required to have a check-in meeting with Associate Dean of Students (the "Associate Dean") 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 and medical information, including relevant information provided by, or on behalf, of the student. The student will be asked to sign releases necessary to permit communication between relevant health and/or mental health professionals, including the student's preferred health and/or mental health care providers, and appropriate College administrators. The Associate Dean will consult with the Director of the Counseling Center or the Director of Health Services, as appropriate, regarding the student's return to campus, including consideration regarding what level of treatment is clinically recommended to meaningfully reduce any risks. 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 Accessibility Services. All students are required to comply with the recommended treatment plan as a condition to return to campus. In addition, in some cases, 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 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, on-going health or mental health treatment and/or compliance with a medical treatment plan, restrictions on participation in residential housing, other restrictions on 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](#).

### **Sports Activities**

Sport activities are prohibited on the quadrangle and/or any grassy area adjacent to campus buildings. Due to the risk of serious injury, skating and skateboarding are also prohibited anywhere on campus. Biking, scooters and hover boards are prohibited in any campus building.

### **Student Identification – *Crusader OneCard***

Each student is issued an Identification (ID) Card. This card serves as proof of status with the College and provides use/access to resources such as dining halls, residence halls, libraries and athletic facilities. All students must maintain and carry a current ID card for the entire period that they are affiliated with the College. The ID card should be protected at all times to reduce the risk of abuse related to privileges and funds and to extend the life of the ID card. Punching holes and affixing stickers, pins, or other items to the ID card is prohibited. No one other than the student to whom the card is issued is to use or possess the ID card. Lost or damaged cards should be reported to the Department of Public Safety immediately. Replacement cards are issued for a fee.

### **Use of Information Technology (IT) resources**

All users of the College's information technology resources are expected to adhere to all policies outlined by [Information Technology Services](#).

Last Updated 1/2021

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<sup>3</sup> Where a College official or employee is listed as the designated point of contact for any role in this, this individual may designate another College official or employee to assume the role at issue, as necessary and appropriate.