# College of the Holy Cross
# Sex-Based Discrimination and Harassment Policy

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## I. Statement of Values and Commitment to Non-Discrimination

The College of the Holy Cross is a community of trust based
existence depends on strict adherence to standards of conduct
are standards regarding human sexuality, fully expressive of w
and dignity of oneself and others. Sex discrimination, in all fo
human body and spirit and will not be tolerated within the Colle
committed to providing an environment of well-being, learning
members by acting promptly and effectively to end any sex dis
programs or activities, prevent its reoccurrence, and remedy it

## II. Commitment to Non-Discrimination

The College rejects and condemns all forms of harassment,
retaliation and disrespect, and is committed to sustaining a

508-793-3336
ddebobes@holycross.edu

Individuals may report complaints to the Title IX Coordinator o

Concerns about this policy may be raised with the Title IX Coor
concerns about this policy with the U.S. Department of Educ
(OCR), 5 Post Office Square, Boston, Massachusetts. The OC
289-0111 OCR.Boston@ed.gov. Note that contacting OCR will not alter the
to allegations of sex discrimination.

## III. How the College Seeks to Address Sex Discrimination and O Misconduct, Including Sex-Based Harassment

The College s commitment to non-discrimination includes an as
tolerate discrimination or harassment based on actual or perce
sex characteristics, pregnancy or related conditions, sexual orientation, gender identity, gender
expression and marital or parental status), or other unlawful b
includes sexual harassment, sexual assault, dating and domest
behavior constitutes sex discrimination. The College follows th
discrimination and harassment through the implementation of tw

### A. Sex-Based Discrimination and Harassment (Sexual Misconduct) Policy

This Policy defines prohibited conduct including, but not limite
harassment (including, but not limited to, sexual harassment
harassment and hostile environment sexual harassment), sexual assault, dating and domestic
violence, stalking, sexual exploitation, media-based misconduct, sex
and assisting), and retaliation, violation of the prohibition of e
violation of the prohibition of relationships between supervisory employees

%ï Discrimination or harassment based on actual or percei
national origin, age, veteran status, disability, or geneti

%ï Domestic violence, stalking, sexual exploitation, med
inducing incapacitation, aiding and assisting, employee r
relationships between supervisory employees[4] and other
extent that those concerns are not required to be addres

%ï Failure to make a mandated report, violation of the duty
violation of the prohibition of recording the proceedings

Both policies also prohibit retaliation against any individual se
and/or effectively take part in either process. The Title IX C
concerns and decide which policy applies as further described

This Policy applies to all College community members and all i
of Complainant. All members of the College community are re
and abiding by this Policy at all times. A person s status a
applicability of this Policy in a particular situation shall be det
in their sole discretion, or as otherwise required by applicable

IV. Core Principles Relating to this Policy

The College is committed to the following core principles:

A. The College s policies, procedures, and practices are de
of sex-based discrimination, end sex discrimination when
from recurring, and remedy its effects.

B. The College recognizes that in some cases persons affec
wish to remain anonymous and/or not pursue formal a
empathizes with that position and the notion that people
what is appropriate in their situation, the College strongly en
has been subjected to sex discrimination, or who knows
someone else has been subjected to such discrimination,
matter. Regarding employees, including student-emplo
information about sex-discrimination while acting within t
duties,[5] the College broadly requires reporting unless info
confidential professional role or is otherwise exempt fro
or College policy. Timely reporting enables the College t
with information about resources and resolution proced

[4] In certain instances, complaints alleging other discrimination or harassme
gender identity or expression, pregnancy, marital or parental status, sexu
violence may be adjudicated under the EO Policy to the extent those concer
this Policy. This determination will be made by the Title IX Coordinator.
[5] This determination will be made by the Title IX Coordinator.

incidents of inappropriate behavior and can serve as supports
relevant to this Policy and the EO Policy, these resources are
Respondents and other community members regardless of wh
(except as prohibited by law).

A. Primary Confidential Resource Provider ( PCRP )

If you are not sure if you want the College to know there was
you may wish to contact the PCRP. The PCRP is trained in a
discrimination, sex-based harassment, sexual assault, stalking go
in responding to harm in a sensitive manner to help individual
individual reporting options and the effects of each option; pr
off-campus; provide information about available resources; explain the Co
procedures; provide information about how to contact the Title
a complaint; explain that the Title IX Coordinator may be able
measures, initiate an informal resolution process or initiate an i
procedures; explain how the legal process is carried out throu
and inform the complainant of their rights and the College's
protection order, a College no contact directive, and/or a Colle
explain their confidential role, including that they may not d
concerning sexual misconduct without written con
required by state or federal law. The PCRP has no duty to re
misconduct to the College or to the Title IX Coordinator. In add
a confidential communication with respect to sexual misconduc
and shall be inadmissible in a criminal or civil proceeding with
party who shared the information.

B. Other Confidential Employees Available, Including On Ca
and Pastoral Employees

In addition to the PCRP, some other College employees serve
communications are provided privileged status under Massach
health care providers, licensed medical providers, ordained p
serve as sexual discrimination resources and are provided con
IX and College policy (e.g., chaplains). Also, confidential emplo
report identifying information to the College about behavior tha
or sexual misconduct which may implicate this Policy or the EO
waiver by the individual who supplied the information in questi
law.[6] These confidential employees are instructed to inform indi

[6] Confidential resources generally will not share identifiable information wit
written waiver, unless: (1) disclosure is required to address an imminent risk of harm to th
large, the individual sharing the information, or another member of the com
been harmed is a minor (under 18), in which case the Massachusetts Depa

complaint under this Policy, the EO Policy and/or the process.
They must also: provide information about how to contact the
make a complaint; explain that the Title IX Coordinator may
supportive measures, initiate an informal resolution process o
grievance procedures; and explain their role, including that they
confidential information without written consent unless otherwi
Confidential employees must also provide information to students, be

discussing incidents, situations, and allegations with College
knows well. However, it is important that College employees, other certain
employees described above (when they are acting within the sc
obligated by College policy to disclose to the Title IX Coordinator or
with them that reasonably may constitute discrimination or h
perceived race, religion, color, national origin, age, veteran st
to, discrimination on the basis of these characteristics, pregnancy o
conditions, sexual orientation, gender identity or expression, m
harassment, sexual assault, dating or domestic violence, an
information, and/or retaliation toward any member of the College commu
are known as Responsible Employees. Responsible Employee
information of the Title IX Coordinator and information about
discrimination or harassment to any person who provides them wi
that reasonably may constitute discrimination or harassment. F
who has a legal right to act on behalf of the student, or who informs th
student s pregnancy or related conditions, unless the Respons
that the Title IX Coordinator has been notified, the Responsibl
that person with the Title IX Coordinator s contact information
Title IX Coordinator can coordinate specific actions to prevent
student s equal access to the recipient s education program or

Except for the confidential employees listed above, all full-time
employees (including those with administration and advising r
Employees and are mandated reporters. With respect to student
the College will determine which student employee roles and ot
reporting. Currently, dining captains and residence assistants
Act Campus Security Authority) are considered mandated repo
obligations do not apply to employees, student-employees or ot
individual that has personally been subject to the reportable c

B. Anonymous Reporting

The College maintains an anonymous reporting form for those i
complaint anonymously. Anonymous reports are permitted and w
Office of Title IX and Equal Opportunity. Do not submit any pe
on the report form if you desire to remain anonymous. The ano
at this link and from the College s Sexual Respect and Ti
https://www.holycross.edu/sexual-respect-and-title-ix. The anonymous reporting form m
used to satisfy a Responsible Employee s reporting obligation
accordance with state and/or federal law to: (i) investigate
discrimination, including when it was reported anonymously; (i
report triggers the need for a timely warning or emergency n
policy, the obligations of which may, in limited circumstances,
party s identity if provided; and (iii) disclose the identity of a
employee or a third party. In addition, the extent of the College
of detail shared in the report.

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## VlllDuty to Report Discrimination, Harassment, Retaliation and

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## IX. Consensual Sexual Relationships Involving Employees.

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## XIIHow the College Will Address Allegations of Prohibited Cond

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