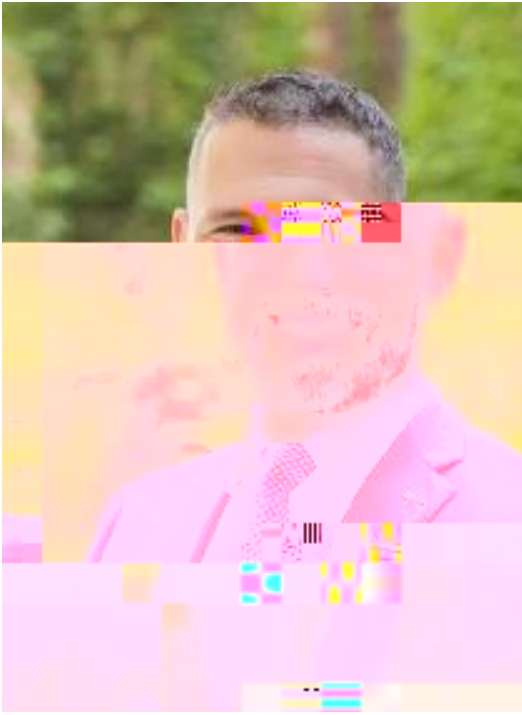


**Community Standards  
Process and Procedures  
2024-2025**

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

**508-793-**



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

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

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

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

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

Sincerely,

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

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# **COMMUNITY STANDARDS PROCESS AND PROCEDURES**

## **INTRODUCTION**

By enrolling at the College of the Holy Cross, students agree to abide by all College

## **PROCEDURES AND POLICY**

### **Authority and Jurisdiction**

The terms and conditions of this document govern student behavior that occurs on College property and/or during any College-sponsored programs, events or activities, on or off campus or in remote format, in any manner or media (e.g. study abroad activities). It also governs behavior that occurs off campus when a behavior may have, or has had, an adverse impact on the College, the larger Worcester community, any current or future individual community member, and/or the College's reputation. The terms and conditions outlined herein also apply to any/all Registered Student Organization (RSO). The purpose of these proceedings is to provide a fair evaluation of a student's responsibility for violating college policy. Rules of evidence ordinarily found in legal proceedings are not applied, nor shall deviations from prescribed procedures necessarily invalidate a decision, unless significant prejudice to a student or the College may result.

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

**Accommodations for Individuals with Disabilities**

Any student seeking an accommodation must make their request to the Office of Student Accessibility Services.

## **Disciplinary Records**

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

External third parties such as institutions of higher education and professional schools for which a current or former Holy Cross student is seeking admission often request dean certifications. Such certifications are also commonly referred to as "*common application college reports, certifications, transfer college reports, character reference forms, and background check forms.*" Typically, because the institution's disciplinary process is designed to be educational rather than punitive, it is the College's ordinary practice (with the student's expressed written consent) to comment on student disciplinary history (specific to cases managed via the Office of Student Integrity and Community Standards or the Office of Title IX & Equal Opportunity) only if there is a record of *College Suspension* or *College Dismissal*. Records of *College Probation* may be disclosed to internal Holy Cross campus partners with legitimate educational interests. For the purpose of Dean Certifications, the College does not comment on questions related to student character or fitness. Any student disciplinary record including allegations of student misconduct and/or open/pending matters may be disclosed without a student's consent to any college official who has a legitimate educational interest. These officials may include administrative, supervisory, academic or student support personnel.

## **Institutional Action While Criminal Charges Are Pending**

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

## **Interim Restrictions**

Short of an interim suspension, it may be necessary to restrict a student from other activities or privileges pending the resolution of a disciplinary matter. Students may be restricted from campus housing, or other College property, College activities, athletic participation, or other activities or privileges that they would otherwise enjoy or may be issued a no contact order for any persons (as described below). The DOS may communicate notification of interim restrictions verbally while also providing written correspondence. In addition to campus email, notification may either be hand-delivered or sent by certified mail to the address on record with the College. Failure, or refusal, to take receipt of notification does not negate or postpone the restriction(s). The appropriate College authorities shall be notified of the interim action. The altered privileges shall remain in effect until a final decision has been made regarding pending complaints or until the DOS or designee determines that the reason for imposing the restriction no longer exists. Student non-compliance with an interim restriction can result in the imposition of an immediate interim suspension, dismissal or other sanction.

## **Interim Suspension**

When it is considered necessary, the DOS, the Director, or their designated representatives may suspend a student from the College on an interim basis (a) where the reported conduct or other circumstances may pose a threat to the health, safety or well-being to one or more members of the College community (including the respondent); (b) or to preserve College property; (c) a student poses a substantial threat of disruption or interference with the operations of the College; or (d) there is an allegation of significant misconduct, each case, as determined in the sole discretion of the College.



An interim suspension may be communicated to a student by the DOS verbally the

**Standard of Proof**

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

**Withdrawal of Complaints**

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

**Withdrawal and Readmission**

Information regarding student leaves and withdrawals is detailed in the College catalog. In the event a student voluntarily withdraws from the College while a Community Standards matter is pending, the appropriate academic dean will be notified. The Academic Dean’s Office will be informed that the student shall not be permitted to re-enroll until the matter has been satisfactorily resolved. Any such request for readmission will be reviewed and, if appropriate, permission granted at the sole discretion of the DOS. In cases when a student has withdrawn from the College with administrative charges pending, the Dean’s Clearance form will indicate: *Withdrawn with disciplinary charges pending.*

**REFERRALS AND RESOLUTION OPTIONS**

Any individual may make a complaint and/or submit a referral and w



### Determination of Sanctions

If a hearing yields one or more finding(s) of “in violation,” an independent College official appointed by the DOS or Director, determines all sanctioning. This process involves a comprehensive review of factors such as the nature of the violation(s), any mitigating and/or aggravating factors, precedent regarding institutional response to such violations, and any





## **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





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

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

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

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

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

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

Use, possession, manufacturing or distribution of firearms, ammunition, and/or any others weapons or facsimile of weapons including, but not limited to, bows, BB guns, paintball guns, soft air guns, martial arts weapons, swords, brass knuckles, tasers, drones, slingshots, or other projectile or launching devices is prohibited. This prohibition also extends to fireworks, gunpowder, explosives, incendiary devices, dangerous chemicals, knives<sup>1</sup> as well as any other item/material deemed dangerous by College officials.

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<sup>1</sup> A student may use/possess one, dull-edged, non-serrated table knife (i.e. a butter knife or a dinner knife) as a cooking utensil while in their in private or common-area residence hall kitchen. If the student resides in a residence hall room without a private kitchen, the utensil must be stored in their room and out of plain sight at all times when not in use. The item must be transported to/from the common-area kitchen out of plain sight (e.g. in a bag) at all times.



**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

### 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.

**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



## 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.





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

Residential students and their guests are expected to follow all reasonable directions of Residence Life and

**Health and Safety**

Designated College officials, including Residence Life and Housing personnel authorized to conduct room

**Postings in the Residence Halls**

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

**Windows and Roof Access**

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

**OTHER COLLEGE POLICIES****Campus Communications Policy**

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

**Change of Address**

Students are expected to promptly report any changes to phone numbers and/or home or local addresses to the Office of the Registrar.

### **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

**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>3</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.



## **Parking and Transportation**

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

### Nonresident Student Drivers

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

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

### **Political Activities**

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

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information, including relevant medical information provided by, or on behalf of, the student. The student will be asked to sign releases necessary to permit communication between relevant medical and/or behavioral health professionals, including the student's own preferred providers, and appropriate College administrators. The Associate Dean will consult with the Director of Counseling and Psychological Services and/or the Director of Health Services, regarding the student's return to campus, including consideration regarding what level of treatment is clinically recommended to meaningfully reduce risk. This includes the applicable director's consideration of the opinions and recommendations of the student's treating health or mental health professional(s), if available. The Associate Dean will also discuss the availability of reasonable accommodations for students with disabilities through the Office of Student Accessibility Services. All students are required to comply with the recommended treatment plan, as a condition to return to campus. The Associate Dean may recommend additional conditions to return, to prepare the student for a successful and safe return to the College community. Recommended conditions will be tailored to the student's individual circumstances and are based upon the review of information described above. Conditions may include, but are not limited to, meetings with College administrators or other relevant personnel, behavioral agreements, ongoing medical and/or behavioral health treatment and/or compliance with a medical treatment plan, restrictions on participation in residential housing and/or other activities or privileges, and/or other applicable requirements or adjustments. Recommended conditions will be discussed with the student. If the student does not agree to the conditions and/or returns at a time that is not recommen