

1. The Campus Police at 552-2211(ext. 2211 on campus phones) to report the incident and receive prompt assistance.
2. The local police at 536-0111.
3. A friend or family member.
4. Abuse and Rape Crisis Hotline (Holyoke) at(413) 536-1628 or 1-877-536-1628.

Student Rights and Responsibilities

1. If a student receives a report of or discovers a possible sexual assault on campus, he/she must immediately notify the campus police or the Dean of Student Services. It is extremely important that these procedures are followed to ensure that appropriate medical and administrative services are provided. The campus police or Dean of Student Services will be responsible for implementing the procedures.
2. The College and/or the alleged victim may initiate College disciplinary action against the person accused of rape, acquaintance rape, or other sex offenses, forcible or nonforcible. Possible sanctions to be imposed following the final determination of an on-campus disciplinary procedure regarding rape, acquaintance rape, or other sex offenses, forcible or nonforcible, may include the following: restitution, disciplinary probation, suspension, dismissal for an indefinite period, or expulsion.
3. If on-campus disciplinary action is instituted, the College shall follow its disciplinary procedures. The Student Discipline Policy and Student Disciplinary Sanctions are stated in this guide.

SEXUAL HARASSMENT POLICY

Sexual harassment is a form of illegal discrimination which is defined as “unwelcome sexual advances, requests for sexual favors and/or other verbal or physical conduct of a sexual nature which has the effect of denying equal educational or employment opportunities.” There are two types of sexual harassment:

1. *Quid pro quo*, in which educational or employment benefits are conditioned on the granting of sexual favors. An example would be a request by an instructor for sexual favors in return for a passing grade; and,
2. *Hostile Environment* claims abusive, intimidating or harassing verbal or expressive behavior which is directed toward an individual based on a protected characteristic, such as sex.

Federal and state standards for determining whether a sexual harassment claim is actionable vary. There are five fundamental guidelines:

1. The individual belongs to a protected category (sex).
2. The individual was subjected to unwelcome sexual harassment.
3. The harassment complained of was based upon sex.
4. The harassment complained of affected a term, a condition or a privilege of education or employment.
5. The institution or its representatives knew, or should have known, of the harassment and failed to take prompt, effective, remedial action.

Students’ rights are protected under Title IX. It states “no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.” [20 U.S.C. #1681 (1982)]

Students who feel they have been subjected to sexual harassment, either *quid pro quo* or a *hostile environment*, should report this to the Student Grievance Officer (Dean of Student Services, Frost 262, 552- 2390) or the Director of Affirmative Action (Frost 321, 552-2770). As an agent of the institution, the Student Grievance Officer is required by law to investigate and meet with the accused to obtain his or her version of the events. The individual making this claim is given the option of meeting the accused; however, he or she is not required to do so. The institution will conduct an investigation, a written warning or other appropriate disciplinary action against the accused (provided that sufficient evidence supporting the alleged victim’s allegations is uncovered) will be taken.

SMOKING POLICY

Smoking is prohibited in all Holyoke Community College buildings and is prohibited within 20 feet of all entryway doors.

STUDENT DISCIPLINE POLICY

All students are expected to abide by the rules and regulations of the College and local, state and federal laws. For cases where violations occur, the College has developed policies and procedures designed to protect the rights of all members of the College community, individually and collectively.

The procedures described below are not intended to prohibit the involvement of civil authorities in cases related to violation of laws.

Disciplinary action at the College will normally proceed during the pendency of criminal proceedings and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed

or reduced. A finding of guilty under the criminal law will automatically constitute a finding of guilty under the student disciplinary policy if the charges arise out of the same set of facts. A finding of not guilty by the courts will not have any bearing on the College discipline procedure.

This policy is set forth in writing in order to give students general notice of prohibited conduct. The policy should be read broadly because it is not designed to define misconduct in exhaustive terms. Holyoke Community College reserves the right to amend any provision at any time.

Holyoke Community College has been and is committed to providing a collegiate atmosphere that is free of any conduct that could be considered harassing, abusive, disorderly, or disruptive. The College recognizes and will endeavor to protect the rights of all students, faculty and staff members to be treated with respect, courtesy and tact.

It should also be noted that any behavior which may have been influenced by a student's mental state (irrespective of the ultimate evaluation), or use of drugs or alcoholic beverages, shall not in any way limit the responsibility of the student for the consequences of his or her actions.

Rules and Regulations

College discipline is limited to misconduct by identified students on or off campus, which includes but is not limited to College-sponsored activities such as social and educational events or trips, internships, practicums, cooperative education, which adversely affects the College community's pursuit of its objectives, or is mandated by violation of state and federal laws or regulations. Misconduct is defined, but need not be limited by the following:

1. Dishonesty, such as cheating, plagiarism (see the HCC *College Catalog* for more information on plagiarism) or knowingly furnishing false information to any College official or faculty member.
2. Obstruction or disruption of teaching, or research, administration, or other College activities, including public service functions on College premises or College-sponsored activities off campus. This includes classroom behavior that seriously interferes with either (a) the instructor's ability to conduct the class, or (b) the ability of other students to profit from the instructional program.
3. Any conduct which threatens or endangers the health or safety of any person on College premises or at College-sponsored or College-supervised functions. This includes threats or harm to one's own personal safety and/or life.
4. Conduct which is disorderly, disruptive, or indecent; breach of peace or aiding, abetting, or inciting another person to breach the peace on the College's premises or at functions sponsored by, or participated in by the College.
5. Any behavior, intentional or unintentional, by which students, faculty, staff, or campus guests are harassed or threatened by a Holyoke Community College student because of their race, religion, ethnicity, gender, or sexual orientation.
6. Actions or comments which result in sexual harassment of students, faculty, staff, or campus guests.
7. Theft from or damage (vandalism) to College premises (e.g., graffiti) or theft or damage to property of a member of the College community on College premises. Theft, unauthorized removal of, or damage to library material.
8. Any behavior in the classroom, study areas, or elsewhere at the College, including harassment or intimidation of other individuals which detracts from, or disrupts the learning environment.
9. Violation of published College regulations, including those related to entry and use of facilities or motor vehicles and other regulations which from time to time may be enacted.
10. Unauthorized accessing or tampering with or falsifying student election reports, College records, official documents, computer files, storage units, terminals or programs which contain electronic records which are protected by regulations including those concerned with privacy or confidentiality. Knowingly submitting false information for inclusion into these records is interpreted as tampering with the official record system.
11. Willfully failing to comply with the direction of College officials, including campus security officers, acting in performance of their duties.
12. Violation of federal, state, or local laws or regulations as they apply to students on campus and at functions, including, but not limited to, use, possession, or sale of any illegal drugs, firearms, and other weapons; alcohol consumption; smoking in campus buildings; hazing (for a detailed explanation of hazing, please see page 15–16); immunization records law; and the Drug Free Workplace Act. In accordance with the Board of Higher Education policy, the College will notify the parents or legal guardians of students under 21 years of age each time they have been determined to be in violation of campus alcohol policy except in special circumstances. (Please see Substance Abuse Prevention Policy on page 23.)
13. Violation of the Hazing Law (see pages 15–16). Hazing is defined as "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."