

changes in them, it is the student’s responsibility to initiate the inquiry.

## STUDENT EDUCATION RECORDS

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The Family Educational Rights and Privacy Act (FERPA) afford eligible students certain rights with respect to their education records. (An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a post- secondary institution.) These rights include:

1. The right to inspect and review the student’s education records within 45 days after the day the College receives a request for access. A student should submit to the Registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student’s education records that the student believes is inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. A student who wishes to ask the College to amend a record should write to the College official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the College decides not to amend the record as requested, the College will notify the student in writing of the decision and the student’s right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the university discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent. The College discloses education records without a student’s prior written consent under the FERPA exception for disclosure to College officials with legitimate educational interests. A College official is a person employed by the College in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and heal th staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A College official also may include a volunteer or contractor outside of the College who performs an institutional service or function for which the College would otherwise use its own employees and who is under the direct control of the College with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another College official in performing his or her tasks. A College official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the College. Upon request, the College also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW Washington, DC 20202.

## DISCLOSURES WITHOUT CONSENT

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FERPA permits the disclosure of PII from students’ education records, without consent of the student, if the disclosure meets certain conditions found in 99.31 of the FERPA regulations. Except for disclosures to College officials, disclosures related to some Judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, 99.32 of FERPA regulations requires the College to record the disclosure. Eligible students have a right to inspect and review the record of d islosures. The College may disclose PII from the edu cation records without obtaining pr ior written consent of the student:

1. To other College officials, including faculty, within the College whom the C ollege has determined to have legitimate education al interests. This includes, in certain cases, contractors, consultants, volunteers, or other parties to whom the College has outscu rced institutional services or functions, provided that the conditions listed in 99.31(a) (1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (99.31(a)(1)).

2. To officials of an other school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student’s enrollment or transfer, subject to the requirements of 99.34. (99.31(a)(2)).

3. To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the College’s State-supported education programs. Disclosures under this provision may be made, subject to the requirements of 99.35, in connection with an audit or evaluation of Federal- or State-supported edu cation programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf (99.31(a)(3) and 99.35).

4. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (99.31(a)(4)).

5. To organizations conducting studies for, or on behalf of, the College, in order to: (a) develop, validate, or administer predictive tests; (b) adm inister student aid programs; or (c) improve instruction. (99.31(a)(6)).

6. To accrediting organizations to carry out their accrediting functions. (99.31(a)(7)).

7. Information the College has designated as “Directory Information” under 99.37. (99.31(a)(11)).

8. To parents of an eligible student if the student is a dependent for IRS tax purposes. (99.31(a) (8)) Parents may also obtain non-Directory Information if the College has a signed release from the student on file. Students may obtain a release from the Registrar’s Office or other appropriate office.

9. To comply with a judicial order or lawfully issued subpoena. (99.31(a)(9)).

10. To appropriate officials in connection with a health or safety emergency, subject to 99.36. (99.31(a)(10)) In certain circumstances parents may also be notified when their student is involved in a health or safety emergency.

11. To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of 99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (99.31(a) (13)).

12. To the general public, the final results of a disciplinary proceeding, subject to the requirements of 99.39, if the College determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the College’s rules or policies with respect to the allegation made against him or her. (99.31(a)(14)).

13. To parents of a student regard ing the student’s violation of any Federal, State, or local law, or of any rule or policy of the College, governing the use or possession of alcohol or a controlled substance if the College determines the student committed a disciplinary violation and the student is under the age of 21. (99.31(a) (15)) In certain circumstances parents may be notified by the College if their student’s residency or student status has been revoked or may be in jeopardy of being revoked.

## DIRECTORY INFORMATION

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At its discretion, the College may provide Directory Information without the consent of the student. For these purposes, Directory Information includes: Student name, current enrollment, address, e-mail address, telephone number, class year standing, full-time or part-time status, schedule of classes, photograph, date and place of birth, major and minor fields of study, dates of attendance, degrees and awards received, including Dean’s List and graduation honors, most recent previous educational institution attended, participation in officially recognized activities and sports, weight and height of members of athletic teams. In certain circumstances, students may ask the College to withhold Directory Information by notifying the Registrar in writing within two weeks after the first day of class for each semester. Requests for nondisclosure, unless disclosure is required by law, will be honored by the College for only one academic semester; therefore, authorization to withhold Directory Information must be filed each semester in the Registrar’s Office.

## STUDENTS’ PERSONAL PROPERTY

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Stonehill College is not responsible for students’ personal property. Students are strongly encouraged to have personal property insurance for their belongings. This type of insurance may be available and covered under applicable homeowners’ insurance policies or it is available as separate insurance coverage from many providers. Students and their parents should check their current insurance policies for coverage and consider additional coverage, if necessary.

## STUDENT USE OF STONEHILL DIRECTORIES

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Stonehill College maintains a number of directories and address lists to facilitate personal contact between students, faculty, staff, alumni, and volunteers. These directories or address lists may not be reproduced, stored in a retrieval system, or transmitted in any form or by any means without the prior written permission of the Vice President for Student Affairs, or designee. Any use of the addresses or other information such as mailing labels or e-mail distribution lists for any multiple mailing without the prior written permission of the Vice President for Student Affairs, or designee, is prohibited.

## DEMONSTRATIONS

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Demonstrations must be registered twenty-four (24) hours in advance and must be approved in writing by the Vice President for Student Affairs, or designee. All demonstrations must be peaceful and orderly. Demonstrations may be organized and led only by members of the Stonehill College community. Demonstrations or other forms of expression may not compromise the rights of other members of the College

community, nor interfere with the general operation of the College. Free speech is a cherished foundation of academia. Forms of expression, however, may not discriminate against or harass individuals on the basis of race, gender, disability, age, marital status, sexual orientation, religion, color, gender, disability, national origin or other personal characteristics. Stonehill College maintains the right to enforce all rules of conduct and to immediately dispatch Campus Police or request outside law enforcement assistance to respond to any criminal or violent acts.

## SOLICITATION

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No student or person representing any company is permitted to offer any product or service for purchase on the Stonehill College Campus without prior approval from the Director of Student Activities, in consultation with the Vice President for Student Affairs. In addition, students may not operate a business on campus or from their residence hall room without the express written consent of the Vice President for Student Affairs or his or her designee.

## EQUITY IN ATHLETICS DISCLOSURE ACT (EADA)

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In compliance with the EADA, Stonehill College provides information on men’s and women’s athletic programs, including the number of participants by gender for each varsity team, operating expenses, recruiting expenditures, athletically-related student aid, and revenues. The annual report is available from the Athletics Office located in the Sally Blair Ames Sports Complex. General information regarding the College’s student financial assistance programs, tuition and fees, and refunds is available from the Student Financial Services Office located in the Duffy Academic Center.

## FAIR INFORMATION PRACTICES

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Stonehill College complies with Massachusetts General Laws Chapter 66A, Fair InformationPractices. Questions regarding this law can be addressed to: Registrar, Stonehill College, 320 Washington Street, Easton, MA 02357.

## CAMPUS SEX CRIMES PREVENTION ACT

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The Campus Sex Crimes Prevention Act is a federal law that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus. Members of the campus community may obtain information concerning Massachusetts registered sex offenders online at [www.mass.gov/orgs/sex-offender-registry-board](http://www.mass.gov/orgs/sex-offender-registry-board) or by contacting any of the following:

- Sex Offenders Registry Board, Commonwealth of Massachusetts, P.O. Box 4547, Salem, MA 01970
- Easton Police Department, 46 Lothrop Street, North Easton, MA 02356
- Stonehill College Campus Police, 320 Washington Street, Easton, MA 02357

## MASSACHUSETTS LAW AGAINST HAZING

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Massachusetts Law requires that the following information be issued to students, student groups, teams and organizations:

Chapter 269: Section 17. Hazing; organizing or participating; hazing defined.

Section 17. 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 three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

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.

Chapter 269: Section 18. Failure to report hazing

Section 18. 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 person can do so without danger or peril to himself or ot hers, 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.

Section 19. 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 and 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, acting through its designated officer, to deliver annually, to the institution an attested acknowledgment stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization 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, 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 forth with report to the attorney general any such institution which fails to make such report.

## **DRUG FREE SCHOOLS AND COMMUNITIES ACT**

Stonehill College, in accordance with federal legislation and College policy, is committed to providing a drug-free, healthy and safe environment for all students, faculty and staff. The unlawful use, possession, manufacturing, distribution or dispensation of a controlled substance and the illegal use or possession of alcoholic beverages on campus or at College sponsored activities is prohibited. If it is determined that a violation of this policy has occurred, disciplinary action up to and including the dismissal of students and referral for prosecution may result. Applicable legal sanctions for the unlawful use, possession or distribution of alcohol and other drugs are summarized in the following section. This information appears here to meet the requirements of the Drug-Free Schools and Communities Act. In addition to this policy, other College policies remain in effect.

## **SUMMARY OF ALCOHOL AND OTHER DRUG LAWS**

The legal drinking age in Massachusetts is 21 years of age. A person over 21 years of age may not buy alcohol for a person under 21 years of age, unless their relationship is that of parent and child or husband and wife, and even in those situations liquor must be bought at a package liquor store, not a restaurant or tavern. Whoever furnishes any such beverage or alcohol for a person under 21 years of age shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than one year or both. Alcohol may not be purchased or attempted to be purchased by a person under 21 years of age. A person may not lie about his/her age to purchase alcohol, present false identification, or make arrangements with someone older to buy alcohol for him/her. Any person who knowingly makes a false statement as to the age of a person who is under 21 years of age in order to procure a sale or delivery of such beverages or alcohol to such person under 21 years of age, either for the use of the person under 21 years of age or for the use of some other person, and whoever induces a person under 21 years of age to make a false statement as to his age in order to procure a sale or delivery of such beverages or alcohol to such a person under twenty-one years of age, shall be punished by a fine of \$300. Any person without a license to serve alcohol may not serve someone under 21 years of age, unless their relationship is that of parent and child or husband and wife. Any person who furnishes any such beverage or alcohol for a person under 21 years of age shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than one year or both.

Any person who transfers, alters, or defaces an identification card, or who makes, uses, carries, sells, or distributes a false identification card, or furnishes false information in obtaining such a card, shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$200 or by imprisonment for not more than three months.

It is unlawful for a person under 21 years of age knowingly to drive a car with alcohol in it unless accompanied by a parent. To do so may result in a fine of up to \$50 or suspension of the driver's license for three months, or both, for a first offense. Persons may not drive while drinking from an open container of an alcoholic beverage. Violators shall be punished by a fine of not less than \$100 nor more than \$500. Persons may not drive while under the influence of alcohol or any intoxicating substance. Violators shall be punished by a fine

of not less than \$500 nor more than \$5000 or by imprisonment for not more than two and one-half years, or both such fine and imprisonment. Additionally, violators may have their license suspended for 1 year. If a police officer has reasonable grounds to believe a person is driving under the influence, a breathalyzer test may be given. If the person arrested refuses to submit to such test or analysis, after having been informed that his license or permit to operate motor vehicles or right to operate motor vehicles in the Commonwealth shall be suspended for a period of at least 180 days and up to a lifetime loss, for such refusal, no such test or analysis shall be made and he shall have his license or right to operate suspended in accordance with this paragraph for a period of 180 days. Conviction for a first offense be punished by a fine of not less than \$50 nor more than \$500 or by imprisonment for not less than 30 days nor more than two years, or both, and for a second offense by imprisonment in the state prison for not more than five years or in a house of correction for not less than 30 days nor more than two and one half years, or by a fine of not more than \$1000, or by both such fine and imprisonment.

Massachusetts has criminal penalties for use of controlled substances, or drugs, with penalties varying with the type of drug. In general, narcotic, addictive, and drugs with a high potential for abuse have heavier penalties. Possession of drugs is illegal without valid authorization. While penalties for possession are generally not as great as for manufacture and distribution of drugs, possession of a relatively large quantity may be considered distribution. Under both State and Federal laws penalties for possession, manufacture and distribution are much greater for second and subsequent convictions. Many laws dictate mandatory prison terms and the full minimum term must be served. 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. Anyone in the presence of heroin at a private party or dormitory suite risks a serious drug conviction.

Sale and possession of "drug paraphernalia" is illegal in Massachusetts. Under Federal law, distribution of drugs to persons under the age of 21 is punishable by twice the normal penalty with a mandatory one to three years in prison depending on the class of drugs; a third conviction is punishable by mandatory life imprisonment. These penalties apply to distribution of drugs within 1,000 feet of a college or school. Federal law sets greatly heightened prison sentences for manu facture and distribution of drugs if death or serious injury results from the use of the substance.

The Higher Education Act of 1965 as amended suspends aid eligibility for students who have been convicted under federal or state law of the sale or possession of drugs, if the offense occurred during a period of enrollment for which the student was receiving federal student aid. For more information contact Stonehill's Student Financial Services Office at 508-565-1088 or the Federal Student Aid Information, Center at 1-800-4-FED-AID (1- 800-433-3243).

## **NOTICE OF FEDERAL STUDENT FINANCIAL AID PENALTIES FOR DRUG LAW VIOLATIONS**

A student who has been convicted of possession or sale of illegal drugs while receiving federal Title IV financial aid loses eligibility for federal and state govern ment financia l aid (including Title IV, HEAgrant, loan, or work-study assistance) for a period of time specified in the law (HEA Sec. 484(r) (1)); (20 U.S.C. 1091(r)(1)). The period of ineligibility depends on whether the conviction was for possession or sale of (including conspiring to sell) illegal drugs. For further information, please visit the College's website at <http://www.stonehill.edu/files/resources/drug-convictions-notice.pdf>.

## **NOTICE OF AVAILABILITY OF INSTITUTIONAL AND FINANCIAL AID INFORMATION**

Stonehill College offers institutionally funded financial aid and participates in federal and state government financial aid programs, including those authorized by Title IV of the Higher Education Act. Detailed financial aid information is available on our web site at [www.stonehill.edu/costs-financial-aid/financial-aid-scholarships/types-of-aid/scholarships-grants/](http://www.stonehill.edu/costs-financial-aid/financial-aid-scholarships/types-of-aid/scholarships-grants/) and our Financial Aid guide at [www.stonehill.edu/financial-aid/forms-documents/](http://www.stonehill.edu/financial-aid/forms-documents/)

## **CLERY ACT**

Stonehill College complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report contains a summary of Stonehill College's Campus Police Department's procedures along with required crime statistics.

Stonehill College is committed to assisting all members of the Stonehill community in providing for their own safety and security. The College's annual security compliance document is available on the Stonehill College website at <http://www.stonehill.edu/clery>.

If you would like to receive a booklet called "Annual Security Report" which contains this information, you can stop by the Campus Police Office or you can request that a copy be mailed to you by calling 508-565-5100.

For information about how the College complies with the General Data Protection Regulation ("GDPR"), please visit [www.stonehill.edu/offices-services/office-of-the-general-counsel/gdpr/](http://www.stonehill.edu/offices-services/office-of-the-general-counsel/gdpr/).



# STONEHILL COLLEGE

## **2019 - 2020 STUDENT LEGAL NOTICES**

This document provides important information about certain rights and responsibilities you have as a student at Stonehill College. It explains certain laws, rules, and policies. In many cases, the information contained in this booklet is provided to you because federal or state law requires that colleges provide you written notice of particular information. The College also provides information about some of its rules and policies that were created to help ensure that students have a positive experience at Stonehill. Please take a few moments to review the information in this booklet, and keep this booklet as a convenient reference throughout the year. This booklet is reviewed annually by the College.

## **NON-DISCRIMINATION POLICY**

As a Catholic College found ed by the Congregation of Holy Cross, Stonehill College believes in the inherent dignity and worth of every person. As such, the College is committed to providing an inclusive environment free from discrimination for its students, faculty, staff, alumni, visitors, and guests.

Therefore, Stonehill College prohibits discrimination on the basis of race, color, national origin, ancestry, sex, religion, age, physical or mental disability, sexual orientation, gender identity, or any other characteristic protected by state or federal law. In admission to, access to, treatment in, or employment, in its programs and activities, except where such conditions may constitute bonafide qualifications for the programs or activities in question.Nothing in this statement shall require Stonehill College to act in a manner contrary to the beliefs and teachings of the Catholic Church.

The following people have been designated to handle inquiries regarding the College's non-discrimination policy:

Thomas V. Flynn, Esq., General Counsel Stonehill College, Easton, MA 02357 (508) 565-1413	Lily A. Krentzman Director of Human Resources/Title IX Coordinator Stonehill College, Easton, MA 02357 (508) 565-1106
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Inquiries concerning the application of non discrimination policies may also be referred to:

Regional Director, Office of Civil Rights  
U.S. Department of Education  
5 Post Office Square, Boston, MA 02109

## **DELIVERY OF SERVICES**

Stonehill College assumes no liability for the delay or failure in providing educational or other services or facilities due to causes beyond its reasonable control. Causes include, but are not limited to power failure, fire, strikes by College employees or others, damage by natural elements, and acts of public authorities. The College will, however, exert reasonable efforts, when it judges them to be appropriate, to provide comparable services, facilities, or performance; but its inability or failure to do so shall not subject the College to liability. particular field. These requirements may change while a student is enrolled in a program and may vary from state to state or country to country. Although the College stands ready to help its students learn about requirements and changes in them, it is the student's responsibility to initiate the inquiry.

Stonehill College will endeavor to make available to its students a fine education and a stimulating and congenial environment. However, the quality and rate of progress of an individual's academic career and professional advancement upon completion of a degree or program are largely dependent on his or her own abilities, commitment and effort. In many professions and occupations, there are requirements imposed by federal and state statutes and regulatory agencies for certification or entry into a particular field. These requirements may change while a student is enrolled in a program and may vary from state to state or country to country. Although the College stands ready to help its students learn about requirements and