

POLICY STATEMENT

Subject: Anti-Hazing Policy

Revision Dates: March 6, 2018, April 2, 2019

Originating Office: Center for Multicultural Student Leadership & Engagement

President's Approval:

Distribution Code: A and All Students

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I. POLICY

The University prohibits hazing. This policy applies to acts conducted on or off-campus if such acts are deemed to constitute hazing under this Policy or Pennsylvania law. Hazing is dangerous and detrimental to the self-esteem and physical well-being of students who are targeted by the activity. Hazing degrades the values of the involved organization and creates an environment of disrespect that contradicts the University's commitment to and statement of civility.

It is not a defense to any alleged violation of this policy that the consent of a student to participate in suspected hazing activity was sought or obtained; or that the suspected hazing conduct was sanctioned by the University or an organization.

An activity that violates this policy may still be charged under this policy even if it is sanctioned or approved by the University.

II. DEFINITIONS

A. HAZING – A person or organization intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating an individual into or with an organization, or for the purpose of continuing or enhancing an individual's membership or status in an organization, causes, coerces or forces an individual to do any of the following:

1. Consume any food, drink, liquid, alcoholic liquid, drug, or other substance which subjects the individual to a risk of emotional or physical harm.
2. Endure brutality of a physical nature, which may include but is not limited to whipping, beating, branding, paddling, kicking, striking, pushing, shoving, tackling, calisthenics, or exposure to the elements.
3. Endure brutality of a mental nature, which may include but is not limited to activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct which could result in extreme embarrassment or degradation.
4. Endure brutality of a sexual nature.
5. Endure any other activity that creates a reasonable likelihood of bodily injury to the student.
6. Violate federal, state, or local law or University policy or rule.

Hazing shall not include reasonable and customary athletic, law enforcement or military training, contests, competitions or events.

B. ORGANIZATION – "Organization" is defined as organizations that include, but are not limited to, any of the following: a fraternity, sorority, association, corporation, order, society, corps, teams, club or service, social/academic or similar group, whose members are students of the University. University employees or volunteers who act as sponsors, counselors, advocates or advisors of any organization, as defined, are also members.

- C. RECOGNIZED ORGANIZATION - A “recognized organization” is defined as any student organization which has completed the application process for recognition or re-recognition as outlined by the Center for Multicultural Student Leadership and Engagement (MCSLE) and which has been approved for recognition by IUP’s Student Government Association and MCSLE.
- D. SPONSORED ORGANIZATION - A “sponsored organization” is defined as any organization that receives human, financial, and/or material support, guidance, and/or benefit from the University.

III. IMPLEMENTATION

- A. The leader(s), which may be either elected officer(s) or designated leader(s) within a recognized or sponsored organization, is responsible for informing individuals associated with the organization of this policy. This policy should be clearly communicated by the leader(s) to the membership at the first meeting of the organization each semester and to the new members prior to the commencement of the first new member activity and should be posted in a prominent place.
- B. For recognized organizations, the Hazing Compliance Agreement portion of the Organization Recognition Form must be completed and submitted to the Center for Multicultural Student Leadership and Engagement (MCSLE), Elkin Hall, within thirty days of the commencement of fall semester classes or the election of new officers, to certify acknowledgement of all conditions of this policy. Failure to submit the completed form within the deadline will result in interim suspension of recognition until the completed form is received.
- C. All fraternity/sorority new member activities which are non-academic in nature must end by the date published in the Fraternity/Sorority Life Calendar, and any non-academic initiation or affiliation new-member activities must be discontinued seven days prior to the first day of the final examination period each semester and remain discontinued through the end of the final examination period. All non-academic initiation must occur during the fall and spring semesters while classes are in session.

IV. JURISDICTION AND PROCEDURES

Hazing is a crime in the Commonwealth of Pennsylvania. Reported incidents of hazing will be handled as a criminal investigative priority. IUP Police or the law enforcement agency with primary jurisdiction will be provided priority access to crime scenes, victims, witnesses or items of evidence, etc., according to criminal procedure. This does not preclude the University from taking interim action(s) as deemed necessary for the protection of an individual(s), suspension of organizational activities and/or persons associated with an organization, including employees.

All IUP students, employees, advisors, and organizations are responsible for abiding by this policy, both on campus and off campus, including privately-owned facilities and/or property. Organizations are responsible for any activity in violation of this policy by any individual or group associated with the organization unless it is proven that the group or individual activity was independent of and occurred without the knowledge and/or consent of the organization. Such responsibility will apply equally to situations in which one or more individuals associated with the organization knew or should have known of the activity and failed to make every reasonable attempt to prevent or stop it.

Reports of hazing activity or behavior believed to involve hazing, as defined, should be reported to the IUP Police Department or the law enforcement agency where the activity occurred. Persons may also report the activity to the Office of Student Conduct, the Office of Social Equity or an anonymous tip line or online

reporting function. Persons wishing to report a suspected violation of this policy may use these (or other) methods of reporting: <https://www.iup.edu/police/forms/anonymous-reporting-form/>

Persons may also contact their local IUP crisis hotline:

- **IUP at Indiana**
- **IUP Punxsutawney**
- **IUP at Northpointe**
- **IUP Pittsburgh East**

Persons may also call the University Police at 724-357-2141.

Upon notification of an allegation of hazing, the Office of Student Conduct or the Office of Social Equity will immediately notify the IUP Police Department to ensure investigative integrity for any criminal activity is preserved.

Policy Violation Allegations:

- A. Allegations of violations of this policy by an organization should be referred to the Office of Student Conduct.
 - 1. In all cases of alleged violations of this policy, the organization advisor, University department/associate, and/or general headquarters of the organization (when applicable) will be notified.
 - 2. During the period of formal investigation or adjudication of alleged violations of this policy, all new member-related activities, organization activities, and/or University recognition/sponsorship of the organization may be summarily suspended.
- B. Allegations of violations of this policy by a student within any organization should be referred to the Office of Student Conduct for an administrative hearing conducted in accordance with the Code of Conduct.
- C. Allegations of antihazing policy violation by an employee or volunteer should be referred to the Office of Human Resources for administrative follow-up in accordance with employment law and current collective bargaining agreements.

V. VIOLATIONS AND SANCTIONS:

It is not a defense to any alleged violation of this policy that the consent of a student to participate in suspected hazing activity was sought or obtained; or that the suspected hazing conduct was sanctioned by the University or an organization. The University reserves the right to adjudicate any organization or University-recognized or -sponsored organization or associated individuals therein for any action (or inaction in a situation where the organization has a duty to act – for example, failing to intervene when a policy violation and/or crime is occurring) that an ordinary, reasonable, intelligent individual or group of individuals know or should know might result in corrective or disciplinary action. The filing of charges at IUP against an organization does not preclude the filing of charges at IUP against an individual student or the filing of civil and/or criminal charges against the organization and/or individual under the Pennsylvania Crimes Code.

A. Organizations

1. Organizational Violations

Actions that induce any student or other community members to alter their behavior in any of those activities as enumerated in the definitions of Hazing listed in Section II Definitions, Item A Hazing above in this Antihazing Policy are considered violations of this policy.

2. Sanctions for Organizations:

Possible sanctions for organizations include the following:

- a. **Disciplinary Warning:** A written warning may be given to the organization that indicates that it has been found “in violation” of an IUP regulation and that failure to comply with IUP regulations in the future may result in referral to the Recognized Organization Review Board to be handled as a second offense. A warning remains in effect for a specific period of time, as determined by the Recognized Organization Review Board.
- b. **Disciplinary Probation:** Disciplinary Probation is an indication that an organization’s status at the University is seriously jeopardized. During the probationary period, if the organization is found “in violation” of another policy/regulation, a more serious sanction will be levied, including possible suspension of recognized benefits or withdrawal of University recognition. Disciplinary Probation is in effect for a specific period of time, as determined by the Recognized Organization Review Board.
- c. **Mandatory Activity:** The required participation by the organization in a specified group activity, service projects, educational programs, or other assignments.
- d. **Financial Restitution:** An organization may be required to pay for damages to property, including but not limited to personal and University property and/or for personal injury. Payment will be made under guidelines determined by the Office of Student Conduct.
- e. **Social Limitation or Suspension:** An organization may be denied formal or informal sponsorship of or participation in one or more of the following for a specified period of time: inter- or intra-organizational social activities, formals, all-Greek/organization or all-University events or activities, or any other event of a social nature.
- f. **Intramural Suspension:** A specific length of time in which the organization may not participate in individual or team sports or the intramural league, earn intramural points, or receive any championship titles.
- g. **Suspension of Recognized Benefits:** A specific length of time in which the organization maintains University recognition but is denied one or more benefits of recognition which may include but are not limited to: Student Cooperative Association funding; use of University or Co-op facilities, office space, or property; bulk mailing services; and/or other specified benefits available through recognition.
- h. **Withdrawal of University Recognition:** A specified or indefinite length of time in which University recognition is withdrawn in whole or part or conditionally. The organization and any semblance of its membership cease to function at the University, is denied all benefits of University recognition, and no longer falls under the jurisdiction of the RORB. For the organization or any semblance of its membership to regain University recognition, it may be asked to demonstrate evidence of organizational changes intended to eliminate the potential for repeated violations of this policy.
- i. **Other Sanctions**
Any reasonable sanction(s) may be imposed by the Recognized Organization Review Board. Sanctions not listed previously may be imposed, if reasonable, upon approval by the Vice President for Student Affairs.

B. Students

1. Violations

Allegations of antihazing policy violation by a student should be referred to the Office of Student Conduct for an administrative hearing conducted in accordance with the Code of Conduct.

2. Sanctions for Students:

A range of possible sanctions for organizations or students is available for review in the Code of Conduct.

C. Employees

1. Violations

Allegations of antihazing policy violation by an employee should be referred to the Office of Human Resources for administrative follow-up in accordance with employment law and current collective bargaining agreements.

2. Sanctions

A range of possible sanctions for employees will depend upon applicable employment law and discipline protocols as defined in collective bargaining agreements. Any sanction imposed by the University will be in addition to a penalty that may be imposed for violation of the criminal laws of the Commonwealth.

D. Volunteers

1. Violations

Allegations of antihazing policy violation by a volunteer should be referred to the Office of Human Resources for administrative follow-up.

2. Sanctions for Volunteers:

A range of possible sanctions for volunteers, either permanently or for a specified term, may include exclusion from the organization, exclusion from organizational activities and events, exclusion from all university owned or controlled property, exclusion from university activities or events, or no-contact orders.

VI. University Antihazing Program

The University will maintain an Antihazing Program within the Center for Multicultural Student Leadership and Engagement (MCSLE) for the purpose of ensuring the University’s rules, penalties, annual reporting, organizational training, antihazing policy dissemination, and posting, as well as the program for enforcement, are maintained according to Commonwealth statutory guidance.

Authority

Title 18 Pa.C.S.A Crimes and Offenses §2801 – 2811

Student Conduct Policies and Procedures

Human Resources Collective Bargaining Agreements and Employment Law

DISTRIBUTION:

<u>Distribution Code</u>	<u>Description</u>
A	All Employees All Students