

# Hazing Prevention Policy

- Policy Number: ESU-2019-02
  - Previous Policy Numbers: N/A
  - Effective Date: TBD
  - Adopted: TBD
  - Last Reviewed:
  - Amended:
  - Related Policies: None
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East Stroudsburg University of Pennsylvania (the “University”) supports activities that are constructive, educational, and contribute to the intellectual and personal development of its students and other individuals. Therefore, the University prohibits hazing within the University community. Any person participating in, suffering from or witnessing an act in violation of this policy is encouraged to report the incident in a timely manner to either ESU Police Department or the Office of Student Conduct and Community Standards.

The University defines hazing as: intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a minor or student into or with an organization, or for the purpose of continuing or enhancing a minor or student's membership or status in an organization, causes, coerces or forces a minor or student to do any of the following:

1. Violate federal or state criminal law
2. Consume any food, drink, alcoholic liquid, drug or other substance that subjects the minor or student to a risk of emotional or physical harm
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment
5. Endure brutality of a sexual nature
6. Endure any other activity that creates a reasonable likelihood of bodily injury to the minor or student.

**Organization:** an organization that is either sponsored or recognized by the University, including, but not limited to: a fraternity, sorority, association, corporation, order, society, corps, club or service, social or similar groups whose members are primarily students or alumni of the University or persons associated with the University.

## Accountability

Hazing is a crime and may result in the imposition of criminal penalties against an individual, an organization and/or the University. In addition, students and organizations are subject to

discipline under the Student Code of Conduct, up to and including suspension or expulsion of a student and/or a student organization, depending on the specifics of the incident.

Consent is not a defense to hazing, in a criminal case or under this policy. The sanctioning or approval of conduct constituting hazing by the University is not a defense.

**Organizations may be held accountable:**

- a. When a violation is committed by one or more officers and/or members of the organization and is supported by the organization's practices, customs, or traditions;
- b. When a violation is authorized, encouraged, or tolerated by one or more officers and/or members of the organization acting on behalf of the organization within the scope of their office or membership;
- c. When the organization, through its membership, fails to take action to prevent violations of University policy.

Allegations against University employees who serve as advisors or are otherwise associated with organizations shall be reported to the Office of Human Resources in the event of allegations that they failed to prevent hazing. Allegations against alumni, volunteers and other individuals associated with the University, shall be reported to the University Police Department and/or other appropriate office and may be reported to any applicable national organization and may result in exclusion from future activities on campus.

**Student Conduct Process Guidelines for this Policy**

In all cases, when a hazing allegation is filed against an organization or representative(s) of the organization, the leader of the organization/team will be the primary contact and voice of the organization. The organization's faculty and/or alumni advisors, coaches, and governing groups or organizations may be copied on the letter sent to the organization's leader. Meetings with Student Conduct and Community Standards will be conducted to review and/or investigate the allegations. Any determinations concerning the outcome of a reported incident will be communicated to the leader of the organization or team.

If anyone suspects a student or student organization of hazing, that person should call the ESU Police Department or submit a written referral to Student Conduct and Community Standards ("SCCS"). Students may be held responsible for a hazing violation individually, in addition to the student organization. Student and/or student organization sanctions can include any of the sanctions listed in the ESU Student Code of Conduct.

The University recognizes the sensitivity of certain situations regarding hazing and if and when applicable, the University's Medical Amnesty Policy will be applied.

**Distribution of the Hazing Prevention Policy**

1. The University's Hazing Prevention Policy must be distributed by each organization president or, if applicable, organization leader, club sport and athletic team coach to their membership at large.

2. It is the responsibility of the organization or team's leadership to inform alumni, advisors and coaches of the University's Hazing Prevention Policy.
3. This policy will also be posted in prominent locations on campus.

**Reason for Policy:**

This policy pertains to acts conducted on or off campus or school property if the acts are deemed to constitute hazing under this policy and/or Pennsylvania law. The policy applies to all students, applicants, admitted individuals, employees, volunteers, alumni and other persons associated with the University.

**Appeal Statement/Process:** described in Student Code of Conduct

**Definitions:** defined in policy statement

**Related Policies:** Student Code of Conduct