

I. ANTIHAZING 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.

II. DEFINITIONS

- A. HAZING – A person or organization who 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.
- B. Aggravated Hazing: A person commits the violation of aggravated hazing if any of the above actions results in serious bodily injury or death to the individual, either from actions of reckless indifference to their health and safety, or by actions that cause, coerce, or force the consumption of an alcoholic liquid or drug.

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

- C. STUDENT GROUP – "Student Group" Any organized group of students that has complied with or is in the process of complying with the University's requirements for registration, recognition, or is formed through University academic, athletic, or auxiliary department, or is funded by Student Services Incorporated.

- D. University employees or University volunteers who act as sponsors, counselors, advocates or advisors of any organization are required to know and abide by the Antihazing Policy.

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III. IMPLEMENTATION

- A. The leader(s), which may be either elected officer(s) or designated leader(s) within a recognized 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 shall be posted in a prominent place.
- B. For recognized organizations, the Hazing Compliance portion of the form must be completed and submitted to 238 Sykes Student Union, as per the policies set forth by the Office of Student Leadership and Involvement. 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. WCU 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 while the criminal investigation proceeds. Furthermore, the University will initiate its internal administrative process as soon as possible.

All WCU 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 WCU 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 (610-436-3100) or [online reporting function](#). Persons may also call the University Police at 610-436-3311.

Upon notification of an allegation of hazing, the Office of Student Conduct or the Office of Diversity, Equity and Inclusion will immediately notify the WCU 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 university volunteer should be referred to the Office of Human Resources for administrative follow-up in accordance with employment law and current collective bargaining agreements. Non university volunteers should be referred to the Office of Student Leadership and Involvement.

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 may result in corrective or disciplinary action. The charging of policy violations at WCU against an organization does not preclude the charging of policy violations at WCU 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. Students or Student Groups

- 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 and Student Groups:

Hazing involving West Chester University students or student groups is strictly prohibited. Students and groups will be held responsible for hazing under the WCU Student Code of Conduct. Procedures for investigation, adjudication, and sanctions are also located in the Code. This shall not preclude the filing of criminal charges.

B. Employees and University Volunteers

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.

C. Non University Volunteers

1. Violations

Allegations of antihazing policy violation by a volunteer should be referred to the Office of Student Leadership and Involvement for administrative follow-up.

2. Sanctions for Non University 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. Amnesty

West Chester University Office of Student Conduct will extend medical amnesty to students who are referred to the office for violations when they meet the requirements set forth in the PA law. Additionally, the Office may extend consideration to students who offer substantial cooperation with an investigation.

VII. University Antihazing Program

The University will maintain an Antihazing Program within the Office of Student Leadership and Involvement for the purpose of ensuring the University's rules, organizational training, antihazing policy dissemination, as well as, reporting mechanisms are implemented and maintained. The Office of Student Conduct will ensure the University's rules, enforcement, penalties, and annual reporting, are maintained according to Commonwealth statutory guidance.

This policy is implemented by several key offices throughout the University. These offices include but are not limited to:

- a) Academic Departments with student organization oversight
- b) Athletics

- c) Campus Recreation
- d) Fraternity and Sorority Life
- e) Public Safety
- f) Student Conduct
- g) Student Leadership and Involvement

In addition:

- a) Any student, sanctioned group, or recognized groups wishing to proceed with a membership intake/new member process must first secure in writing approval from the appropriate office.
- b) Members of student groups having intake/new member periods and aspirants/new members must file Anti-Hazing Compliance Forms with the appropriate Office in a timely manner.
- c) Intake/new member programs must not interfere with the rights and activities of others and should always reflect the best interests of the members of the group it represents and the University community as a whole.

Authority

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

Office of Student Conduct Policies and Procedures

Human Resources Collective Bargaining Agreements and Employment Law

Revised: August 27, 2019