

Cheyney University Policy SA-2010-3005

Policy on Hazing

Approved by: Student Affairs Council/President's Cabinet

History: Issued – April 22, 2010

Revised – November 27, 2018

A. Policy

Cheyney University strictly prohibits hazing within the University community and this policy applies to acts conducted on or off-campus. No individual or organization (sponsored or recognized) associated with Cheyney University shall conduct or condone any activity that can be described or perceived as “hazing”.

Cheyney University reserves the right to adjudicate any student or University recognized or sponsored organization for any action or inaction (where there is a duty to act) that an ordinary, reasonable, intelligent individual or group of individuals know or should know might result in corrective or disciplinary action. Consent is not a defense to a criminal charge of hazing or a charge under the University's Student Code of Conduct. Students violating this policy may face sanctions, including fines, the withholding of a diploma or transcript, pending compliance with rules or pending compliance with the payment of fines, probation, suspension, dismissal or expulsion. Organizations violating this policy may face fines, and/or revocation of University sponsorship or recognition.

Any person experiencing or witnessing behavior suspected to be hazing is to report the behavior to the Office of Campus Life and Student Affairs, studentaffairs@wolf.cheyney.edu; (610) 399-2217 or Public Safety at (610) 399-2405 immediately.

B. Definitions

HAZING

Pennsylvania Law (18 Pa. C.S.A. §§ 2801 et seq.) and Cheyney University defines hazing as intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a minor or a student 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. Violate federal, state or local law or University policy.
2. Consume any food, drink, liquid, alcoholic liquid, drug, or other substance which subjects the minor or the student to a risk of emotional or physical harm.
3. Endure brutality of a physical nature, **which may include, but is not limited to**, whipping, beating, branding, paddling, tackling, calisthenics, or exposure to the elements.

4. 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.
5. Endure brutality of a sexual nature.
6. Any activity/activities that have the potential to be frightening, morally compromising, degrading, and/or unduly deceptive, including deception designed to convince the individual of impending pain, injury, or non-initiation, **including but not limited to**, promoting servitude, berating or verbally harassing individuals, throwing items at or on individuals, forcing individuals to carry items or wear apparel that is undignified, requiring public stunts such as forcing individuals to yell when entering or departing a physical structure or in the presence of designated individuals, forcing individuals to use “pledge” entrances or exits, requiring individuals to run personal errands, intentionally creating labor or clean-up work, and requiring individuals to wear scant clothing or to be nude.
7. Endure any activity that creates a reasonable likelihood of bodily injury to a minor or student.

In addition, Cheyney University will not tolerate any of the following:

1. Any activity that endangers or has the potential to endanger the academic performance of the individual such as not allowing for or interfering with academic commitments; activities conducted between the hours of midnight and 8:00 a.m., and forced exclusion from social and/or verbal contact with any other individual.
2. Any willful destruction or removal of public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership into a University organization.
3. Participating in on-campus or off-campus membership intake activities by an approved or unrecognized Greek Letter or social organization outside of the intake window approved by the University (pre-pledging).

ORGANIZATION

The term “organization” in this policy refers to organizations that are either recognized or sponsored by the University, including but not limited to, fraternities, sororities, associations, corporations, orders, societies, corps, teams, clubs or service, social or similar groups, whose members are primarily minors, students, or alumni of the University or persons associated with the University.

RECOGNIZED ORGANIZATION

A “recognized organization” is defined as any organization that has completed the application process for recognition or re-recognition and has been approved for recognition by Cheyney University’s Student Government Association and the Director of Student Activities.

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.

STUDENT

“Student” includes individuals who attend, have applied or have been admitted to Cheyney University of Pennsylvania.

PRESUMPTIONS

1. New member-related activities by nature must reflect the best interests of the new members, members of the organization, the University, and the campus community.
2. Training and education that have clear objectives and relevance to the tasks and responsibilities of an organization’s members are not considered to be hazing.
3. Hazing shall not include reasonable and customary athletic, law enforcement or military training, contests, competitions or events.

4. All Cheyney University students and organizations are responsible for abiding by this policy, both on and off campus, including privately-owned facilities and/or property.
5. Organizations are responsible for any activity in violation of this policy by any individual or group associated with the organization (prospective members, members, auxiliary, and alumni), 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.
6. Cheyney University filing charges against any organization does not preclude the filing of charges against any individual student or the filing of civil and/or criminal charges against the organization and/or individual.

IMPLEMENTATION

1. The leader(s), which may be either elected officer(s) or designated leader(s) within an organization, are responsible for informing individuals associated with the organization (prospective members, members, auxiliary, and alumni) 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.
2. For recognized organizations, the Anti-Hazing Agreement must be completed and submitted to the Advisor for Greek Organizations within 30 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.
3. All 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.

JURISDICTION AND PROCEDURES

1. Charges of violations of this policy by an organization should be referred to the Student Conduct Officer for an administrative hearing conducted by the Student Conduct Committee.
 - a. In all cases of alleged violations of this policy, the organization adviser, University department/associate, and/or general headquarters of the organization (when applicable) will be notified.
 - b. 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.
2. Charges of violations of this policy by a student should be referred to the Office of Student Conduct for an administrative hearing conducted in accordance with the Code of Conduct.
3. The University, organizations and individuals may also be criminally charged under the Crimes Code of Pennsylvania.

VIOLATIONS AND UNIVERSITY SANCTIONS FOR ORGANIZATIONS

1. Possible sanctions include the following:
 - a. Probation: A specified length of time in which repeated violation of this policy or violation of other specified policies result in increased sanctions against the organization.
 - b. Mandatory Activity: The required participation by the organization in specified group activity, service projects, educational programs, and/or other assignments.
 - c. Restitution: The repayment of the monetary value of damages, losses, or injuries that resulted from a violation of this policy.
 - d. Fine:
 - e. Social Limitation or Suspension: A specific length of time in which the organization is denied formal or informal sponsorship of or participation in one or more of the following: social activities, formals, University events or activities, or any 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 Greek intramural league, earn intramural points, or receive any championship titles.
 - g. Suspension of Recognition or Sponsorship Benefits: A specific length of time in which the organization maintains University recognition or sponsorship but is denied one or more benefits of recognition or sponsorship which may include, but is not limited to: Student Government funding, use of University facilities, office space or property, bulk mailing services, and/or other benefits made available to the organization.
 - h. Withdrawal of University Recognition or Sponsorship: A specified or unspecified length of time or series of conditions under which University recognition or sponsorship is withdrawn and cannot be regained by the organization. The organization and any semblance of its membership ceases to function at the University, is denied all benefits of University recognition or sponsorship and no longer falls under the jurisdiction of the Recognized Organization Review Board. For the organization or any semblance of its membership to regain University recognition or sponsorship, the demonstration of

evidence of organizational changes intended to eliminate the potential for repeated violations of this policy may be required.

2. The minimum sanction for violation(s) of this policy by a recognized or sponsored organization includes, but is not limited to:
 - a. a one-semester probation;
 - b. seven weeks of social limitation or suspension, intramural suspension, and/or suspension of recognition benefits; and
 - c. Imposition of certain mandatory activities, including but not limited to a revision of the organization's new member education program.
3. The maximum sanction for violation(s) of this policy by an organization is withdrawal of University recognition or sponsorship for the organization for the period of time determined by the Recognized Organization Review Board.
4. Repeated violation of this policy or violation of any probation enacted as a result of this policy by an organization will result in the minimum sanction of a one-year probation and a one-semester suspension of social, intramural, and/or recognition benefits, with a maximum sanction of withdrawal of University recognition/sponsorship of the organization for the period of time determined by the Recognized Organization Review Board.
5. In order to determine appropriate sanction(s), mitigating or aggravating circumstances may be considered.

BYSTANDER SAFE HARBOR

Under Pennsylvania law, a person under the age of 21 shall be protected from prosecution for the purchase, consumption, possession or transportation of alcoholic beverages and from hazing under certain circumstances if law enforcement, including campus safety, first became aware of the violation because the individual was seeking medical assistance for someone else.

The Crimes Code of Pennsylvania, specifically 2810 (hazing) and Section 6308(a) (relating to the purchase, consumption, possession or transportation of liquor or malt or brewed beverages) provides immunity from prosecution for individuals seeking medical attention for another if the individual can establish all of the following:

1. A law enforcement officer first became aware of the individual's violation because the individual placed a 911 call or contacted campus security, police or emergency services, based on a reasonable belief that another individual was in need of immediate medical attention to prevent death or serious bodily injury.
2. The individual reasonably believed the individual was the first individual to make a 911 call or contact campus security, police or emergency services and report that the other individual needed immediate medical attention to prevent death or serious bodily injury.
3. The individual provided the individual's own name to the 911 dispatcher or equivalent campus safety officer, police or emergency services personnel.

4. The individual remained with the other individual needing medical assistance until campus security, police or emergency services personnel arrived and the need of the individual's presence has ended.

Additionally, the individual needing medical attention is immune from prosecution for the purchase, consumption, possession or transportation of liquor or malt or brewed beverages or for hazing only if another individual reported the incident and remained with the individual needing medical attention and the other (reporting) individual qualifies for safe harbor from prosecution.

Immunity may not apply if law enforcement, including Cheyney Public Safety, learn of the offense prior to and independent of the action of seeking or obtaining emergency assistance.

The safety and well-being of Cheyney University students and surrounding community is of utmost importance. When individuals need help, the University encourages students to offer assistance, both on and off campus. Sometimes, students may be reluctant to help others for the fear of their own conduct consequences they may face (underage drinking, participation or knowledge of hazing). The community's best interests are served when individuals report crimes, call 911 and seek help for those in need of assistance.

It is the intent of this policy that a student who would qualify for safe harbor under the provisions of the Crimes Code of Pennsylvania would not be referred to the University Conduct Officer for alleged conduct violations related to alcohol or hazing.