

Millersville University Administrative Policy

ANTI-HAZING POLICY

A. Intent

It is the policy of Millersville University (MU) that any student(s), group(s) of students, or student organization(s) affiliated with MU are prohibited from engaging in any form(s) of hazing activities on or off campus.

This policy complies with both the Stop Campus Hazing Act and The Timothy J. Piazza Antihazing Law.

B. Policy

This policy sets forth the University's definition of conduct that constitutes hazing and outlines the procedures to follow when reporting complaints of hazing. Following these procedures will allow the University to provide a prompt, equitable, and impartial investigation of complaints of hazing. The University prohibits hazing within the University community, whether it occurs on or off-campus. Consent or the approval of conduct by a University employee or volunteer, is not a defense to a criminal charge of hazing, a charge under Millersville University's Student Code of Conduct, or this policy. Hazing conduct that does not violate any anti-hazing laws may constitute hazing under this policy and result in individuals or organizations being charged for violating this policy.

This policy and procedure apply to all hazing conduct that occurs on or off campus and covers all areas of University operations, programs, and sites.

C. Definitions

Hazing

The term hazing means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

(I) is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

(II) causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including:

- (aa) whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
- (bb) causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- (cc) causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- (dd) causing, coercing, or otherwise inducing another person to perform sexual acts;
- (ee) any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- (ff) any activity against another person that includes a criminal violation of local, state, tribal, or federal law; and
- (gg) any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, state, tribal, or federal law.

Student Organization

The term student organization means an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

D. Jurisdiction and Procedure

Adjudication of alleged violations of this policy by individual students or a student organization, whether recognized or not recognized, will be administered by the Office of Student Conduct and Community Standards (OSCCS) in accordance with the process set forth in the [Student Code of Conduct](#). In all cases of alleged violations of this policy, the University will notify the organization's leaders, advisor, and general headquarters of the organization. During the period of formal investigation and adjudication by the OSCCS, all member-related activities, organization activities, and/or University recognition/sponsorship of the organization may be suspended.

Hazing is also subject to criminal penalties. Individuals and members of organizations who participate in hazing may be arrested and prosecuted in accordance with applicable state law including Pennsylvania's Timothy J. Piazza Anti-Hazing Law (18 Pa. C.S. §§ 2808-2809).

Any violations of this policy alleged against non-students will be processed according to the appropriate University policy and/or practice. This may include utilization of any applicable Human Resources related policies for employees.

E. Sanctions

If the OSCCS determines that an organization violated this policy, the organization will receive a sanction(s) ranging from probation to suspension of organizational activities and rescission of the University's official recognition. The University may also assess fines against the organization.

If the OSCCS determines that an individual violated this policy, the individual will receive a sanction(s) as listed in the [Student Code of Conduct](#) ranging from probation to expulsion. The University may also assess fines against the individual and may withhold diplomas or transcripts pending compliance with any sanctions or payment of fines.

If the Office of Human Resources determines that an employee violated this policy, the proper resolution process will be followed to resolve the violation with the employee.

F. Reporting and Enforcement

Any individual experiencing or witnessing behavior suspected to be hazing is encouraged to report the behavior through the online [Hazing/Organizational Misconduct Reporting Form](#) or in person to the Office of Campus Life, located in room 118 of the Student Memorial Center. An individual can also contact MUPD at 717-871-4357 to make a report. Student organization, team, or club members should also immediately report any hazing incidents that occur within their organization through this process. While anonymous reports are accepted, the University may be limited in the scope of its response based on available information disclosed.

Upon submission of the online [Hazing/Organizational Misconduct Reporting Form](#), a copy of the report will automatically be routed to Millersville University Police Department (MUPD), Campus Life, and Student Conduct offices for appropriate follow up and investigation. If an emergency exists, please do not rely on this reporting form alone and contact MUPD at 717-871-4357 or call 911 immediately.

G. Investigation of Allegations

For allegations against individual students or student organizations, once a report is received, a case is created and reviewed by the OSCCS to determine the next steps. The OSCCS determines whether the report contains enough information to move forward and will notify the director of Campus Life, Athletics, or another appropriate department. An investigation of matters involving students will include the following steps:

1. OSCCS assigns the case to the investigation team. The team consists of two individuals who are neutral investigators to the incident.
 - a. The investigators may conduct a preliminary investigation to gather additional information prior to sending a formal investigation notice.
2. The investigation team sends an Investigation Notification letter to the organization's leadership. The organization's advisor(s) is copied.
3. Interim action may be imposed prior to the completion of the conduct process when:
 - a. The organization and its operation pose a significant threat of serious harm to any members of the University community, visitors, or guests;
 - b. It is necessary to preserve University property or the property of any members of the University, including visitors or guests; and/or
 - c. It is necessary to prevent significant disruption of, or interference with, the normal operations of the University.
4. The investigation team completes a fact-finding report with relevant information including summaries of interviews and evidence. The report is then submitted to the OSCCS.
5. The director of OSCCS or their designee conducts the administrative hearing following the administrative hearing procedures located in the [Student Code of Conduct](#).

Hazing that may violate a criminal statute under state law will be investigated by the Millersville University Police Department (MUPD) if the incident occurs on campus or referred to another police agency of jurisdiction by MUPD, as warranted. Matters involving hazing perpetrated by University employees or volunteers will be referred to the Office of Human Resources.

H. Prevention, Education, and Awareness

Millersville University requires all prospective members, new members, and officers of Greek organizations to take *the Hazing Prevention 101* course. This evidence-based course provides participants with the skills to recognize, prevent, and report hazing incidents. Evaluation data is collected for each participant to track learning goals for the course.

Additionally, Millersville University employs various strategies to increase awareness of hazing trends, the associated risks of hazing, and a culture of safety. Some of the examples of these efforts include: National Hazing Prevention Week programming, a Hazing Prevention Fair, review and training on the University's Anti-Hazing Policy, completion of the *Fraternity and Sorority Life Hazing* course, and the acknowledgement and signature on anti-hazing documents.

Millersville University also requires student-athletes to complete an anti-hazing training through the ARMS web-based software program. The completion of this program is required before a student-athlete is cleared to participate in practice and/or competition.

Subsequently, campuswide notifications are sent to faculty and staff on the Anti-Hazing Policy and reporting procedures for hazing incidents.

Finally, a Campus Hazing Transparency Report is also published bi-annually and posted on the Fraternity and Sorority Life website summarizing findings for any incident in which a student organization was found to violate the Anti-Hazing Policy.

I. Amnesty and Retaliation

In any situation where an individual is seeking help for someone experiencing a medical emergency, amnesty for hazing related charges will be granted within the student conduct process under this policy. In order to be eligible for amnesty, the following requirements must be established:

1. A law enforcement officer first became aware of the individual's violation because the individual notified 911, police, or emergency services of another's need for medical attention;
2. The individual is reasonably believed to be the first person notifying 911, police, or emergency services;
3. The individual provided their own name to the 911 operator, police, or emergency services;
4. The individual remained with the person(s) needing assistance until first responders arrived.

It is expressly prohibited for any person, including trustees, administrators, faculty, staff, students, members of direct support organizations, vendors, guests and volunteers to retaliate against a person because that person has been a victim of hazing, reported hazing, refused to participate in hazing, assisted in the investigation of hazing, or participated in the disciplinary process or prosecution of any alleged hazing.

Any person who has experienced retaliation for reporting any activity that may constitute hazing or a violation of this regulation shall have the right to file a retaliation complaint with the OSCCS.