



ASSUMPTION UNIVERSITY ANTI-HAZING POLICY

Assumption University (the “University”) is committed to creating an environment that supports and encourages safety for all members of our community. To that end, the University prohibits all forms of hazing and enforces Massachusetts General Law chapter 269, secs. 17-19 and the recently-enacted Stop Campus Hazing Act (the “Act”), which amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. § 1092(f), a subsection of the Higher Education Act of 1965 (the “Clery Act”), and renames the Clery Act officially as the Jeanne Clery Campus Safety Act. Students and/or student organizations, teams, or groups who fail to comply with state and federal hazing laws or this Policy will be subject to provisions outlined in The Student Code of Conduct and disciplinary sanctions imposed thereunder, in addition to possible criminal charges. Other community members who fail to comply with state and federal hazing laws or this Policy will be subject to other disciplinary procedures. This Policy supersedes all existing University hazing policies that apply to students, faculty, and staff in any written or oral form.

Through this Policy, the University reaffirms and reestablishes its commitment to prevent, investigate, and respond to incidents of hazing, thoroughly and impartially.

1. Purpose and Scope

1.1 Purpose of the Policy. The purpose of this Policy is to reaffirm and reestablish the University’s commitment to prevent, investigate, and respond to incidents of hazing in a thorough and impartial manner, and to define the rights and responsibilities of all members of the University community.

2. Definitions

2.1 Covered Persons.

2.1.1 University Employees. This Policy shall govern the activities of University faculty regardless of their status as full-time or part-time. Such Employees include, but are not limited to, faculty hired as Professors of Practice, Visiting Professors, and/or faculty hired to teach specific courses including Summer Session, Continuing and Professional Education, and distance learning. Adherence to this Policy is considered a condition of, employment, for all faculty whom the University employs.

2.1.2 University Visitors. All non-student visitors to the University who participate in research activities and/or use of University facilities and/or resources are considered Covered Persons for purposes of this Policy. It is the responsibility of visitors to ensure that their obligations to third-parties, including but not limited to their own employers, are satisfied in a manner

consistent with the University's rights described in this Policy. Participation in University programs and/or use of University facilities and/or resources by University visitors is in consideration of, and conditioned upon, agreement with the provisions of this Policy.

2.1.3 Students. University undergraduate and graduate students ("Students") are considered Covered Persons under this Policy. When serving in the capacity of a University employee (e.g. Resident Advisors, Orientation Leaders, students working part-time for the University under paid or work-study arrangements), Students shall be deemed employees covered under §2.1.1 of this Policy.

2.1.4 Covered Persons. For purposes of this Policy, the above categories (§§2.1.1.-2.1.3) shall be considered "Covered Persons."

2.2 Hazing.

2.2.1 The University defines Hazing as hazing as any intentional, knowing, or reckless act committed by a person, individually or in concert with others, that:

2.2.1.1 Is committed during initiation, affiliation, or membership in a student or University organization; and

2.2.1.2 Creates a risk of physical or psychological harm, above reasonable risks of participation in the institution or organization, regardless of willingness to participate.

2.3 Hazing Behaviors.

2.3.1 A broad range of behaviors may be considered Hazing Behaviors, from minor to more severe forms of conduct:

2.3.1.1 Requiring, encouraging, coercing an individual to, or creating any expectation that an individual must, as a condition of or in connection with joining, affiliating with, or participating or maintaining membership in an organization, team, or group, participate in activities where harm could result is likely to be considered hazing.

2.3.1.2 Any conduct or activity towards another person, as a condition of or in connection with joining, affiliating with, or participating or maintaining membership in an organization, team, or group, where harm could result is also likely to be considered hazing. Examples of Hazing Behaviors include, but are not limited to:

2.3.1.2.1 Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;

2.3.1.2.2 Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;

- 2.3.1.2.3 Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- 2.3.1.2.4 Causing, coercing, or otherwise inducing another person to perform sexual acts;
- 2.3.1.2.5 Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- 2.3.1.2.6 Any activity against another person that includes a criminal violation of local, State, or Federal law; and
- 2.3.1.2.7 Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, or Federal law.

2.4 Harm.

- 2.4.1 For purposes of this Policy, Harm includes, but is not limited to, harm to the physical or mental health of an individual, diminishing one's sense of membership and/or breach reasonable standards of mutual respect within the organization, team or group, as well as harm to property.
- 2.4.2 The express or implied consent of the victim will not be a defense to hazing. Apathy and/or acquiescence in the presence of hazing are not neutral acts; they are considered violations of this Policy.

2.5 Student Organizations: The Policy applies to any organization with two or more members enrolled at the institution, including clubs, athletic teams, fraternities, sororities, and student government, regardless of whether the institution formally recognizes the organization.

3. Reporting Hazing and Hazing Behaviors.

- 3.1 University Employees as defined in Section 2.1.1 of this Policy are required to report possible incidents of Hazing and Hazing Behaviors as soon as possible to the University Police Department (“AUPD”) at x7225 or by submitting an online hazing report form. Reports should include what happened, where it happened, when it happened and who was there. Failure to report an incident of Hazing or Hazing Behaviors may be viewed by the University as compliance (through passive participation) in the Hazing or Hazing Behavior and is a violation of this Policy. Failure to report an incident of hazing may also constitute a violation of state law.
- 3.2 Students are responsible for reporting all possible incidents of Hazing and Hazing Behaviors as soon as possible to the AUPD, the Office of Residential Life, the Division of Student Affairs, a coach, or an advisor. Failure to report an incident of Hazing or Hazing Behaviors may be viewed by the University as compliance (through passive participation) in the Hazing or Hazing Behavior and is a violation of this Policy. Failure to report an incident of hazing may also constitute a violation of state law.

- 3.3 Please note: It is a violation of Massachusetts law for any person at the scene of a Hazing incident who knows that another individual is the victim of a Hazing crime to fail to report the crime to law enforcement (to the extent that such person can do so without danger or peril to themselves or others).
- 4 Violations of this Policy
- 4.1 Response to Policy Violations. Violations of this Policy by any Covered Persons may result in disciplinary action, which may include, but are not limited to, disciplinary proceedings as defined and articulated in the Student Handbook, Employee Handbook, and/or Faculty Policy Document, including but not limited to disciplinary probation, suspension or expulsion from the University, termination of employment or enrollment, and/or commencement of legal action in accordance with applicable state and federal laws.
- 4.2 Amnesty. Individuals who have knowledge of a hazing incident, but who did not participate, and truthfully report the activities may not be held responsible for a violation of this policy in relation to that particular incident. Students should be aware that any amnesty that may be granted through the University disciplinary process will not extend to criminal or civil action or penalties that may result from the incident.
- 4.3 Retaliation. The University will not tolerate retaliation against any Covered Person who in good faith makes a report of Hazing or Hazing Behaviors. Any person who retaliates directly or indirectly against a victim, witness, person reporting Hazing or Hazing Behaviors, a respondent and/or charged party or any person involved in any aspect of a complaint or resolution of an allegation of Hazing or Hazing Behaviors will be subject to discipline, up to and including termination (if an Employee) or expulsion (if a Student).
- 5 Review and Amendment
- 5.1 Periodic Amendment. This Policy shall be reviewed periodically to ensure its effectiveness and compliance with applicable state and federal laws. Amendments to this Policy shall be made at the sole discretion of the University to reflect changes in circumstances, legal and compliance requirements, and/or institutional needs. Any such amendments shall be communicated to Covered Persons in a timely manner.