



Idaho State University

POLICIES AND PROCEDURES Hazing Prevention and Response ISUPP 1170

POLICY INFORMATION

Policy Section: *Governance / Legal*

Policy Title: *Hazing Prevention and Response*

Responsible Executive (RE): *Chief Compliance Officer*

Sponsoring Organization (SO): *Office of General Counsel*

Effective Date(s):

Last Reviewed: *New Policy*

Next Review:

I. INTRODUCTION

The purpose of this policy is to maintain a safe and respectful campus environment by prohibiting hazing in any form. Hazing undermines the University's core values of respect, dignity, and personal well-being. This policy aims to protect all Students, Staff, and Faculty from the harmful physical, mental, and emotional effects of hazing activities, while promoting a culture of inclusion, respect, and teamwork. Hazing has no place in our University community. Any and all acts of hazing are strictly prohibited and subject to University disciplinary action. The University is committed to preventing acts of hazing through evidence-based awareness and prevention education and is dedicated to maintaining a safe and supportive environment for all members of our University community.

II. DEFINITIONS

- A. **Campus Security Authority (CSA).** Individuals at the University who, because of their official job duties or functional role, have an obligation to notify the University of alleged, actual, and/or potential crimes that are reported to or witnessed by the CSA.
- B. **Hazing.** (1) 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 is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a

student organization, and 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; or (2) subjecting a person to bodily danger or physical harm or a likelihood of bodily danger or physical harm, or to require, encourage, authorize or permit that the person be subjected to the acts listed in Section V below as a condition or precondition of attaining membership or attaining office or status in a fraternity, sorority, or other living or social student group or organization organized or operating on or near an Idaho State University Campus. Apathy or acquiescence in the presence of hazing is not a neutral act and are violations of this policy. Acts that constitute hazing include, but are not limited to, the acts listed in Section V, below.

- C. **Mandatory Reporter.** An employee of the University who is obligated by law and/or policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Office of Equal Opportunity and Title IX or the Department of Public Safety.
- D. **Participation.** Participation in hazing includes planning, preparing, or other involvement whether or not the individual or group is present when the act of hazing occurs.
- E. **Respondent.** An individual or Organization who has been reported to be the perpetrator of conduct that could constitute hazing.
- F. **Student.** All persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies, whether degree or non-degree seeking, and continuing education classes or special programs. Persons who withdraw after allegedly violating this policy, who are not officially enrolled for a particular term but have a continuing relationship with the University, or who have submitted an application for admission, as well as prospective Students and prospective Student athletes are considered Students under this policy.
- G. **Student Organization.** An organization at an institution of higher education (such as a club, society, association, athletic team (this includes but is not limited to ISU sponsored athletic teams, club teams, and intramural teams), 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.

III. POLICY STATEMENT

Effective learning environments require student safety, including the protection of student dignity. There is no room for hazing in the educational environment. In order to establish and protect an effective learning environment and to promote, foster and maintain the dignity and safety of Students, Faculty, and Staff, all hazing activity is prohibited. Any individual who performs, plans, or intentionally assists in hazing activity has engaged in hazing and is liable for discipline under the provisions of this policy, regardless of whether that individual is physically present when the act of

hazing occurs.

This policy applies to all Students, Faculty, Staff, and Student Organizations affiliated with the University. It governs both on-campus and off-campus activities that are connected to University-sponsored events or that involve University Students. Additionally, *Idaho State Statute, Section 18-917* explicitly prohibits hazing. Individuals or Organizations who violate this policy should be aware that they could face legal charges for engaging in hazing behaviors.

IV. AUTHORITY AND RESPONSIBILITIES

A. Public Safety is responsible for the following items:

1. Compiling and submitting reports and crime statistics of alleged hazing incidents as required by law;
2. Recording alleged hazing incidents in the University's daily crime log as required by law;
3. Partnering with Student Affairs to provide evidence-based anti-hazing training in bystander action, ethical leadership, and promotion of strategies for building group cohesion without hazing; and
4. Responding to alleged hazing incidents that are reported to Public Safety, as needed.

B. Student Affairs is responsible for the following items:

1. Investigating alleged hazing incidents in which a Student or Student Organization is the respondent;
2. Compiling a Campus Hazing Transparency Report summarizing findings of any established or recognized Student Organization found to be in violation of this policy. The Campus Hazing Transparency Report will be published on the University hazing website and updated every six (6) months as required by law and in accordance with current legal requirements. The report shall contain the following information:
 - a. Incident details including the name of the organization involved, the date of the incident, and a description of the violation;
 - b. Whether the violation involved the abuse of illegal use of alcohol or drugs;
 - c. A description of the University's findings; and
 - d. Sanctions, if any, that were imposed as a result of the University's findings.
 - e. Additionally, this report must not contain the Personally Identifiable Information (PII) of any Student.
3. Retain records of hazing reports for five years, or as required by law and in accordance with current legal requirements;
4. Partnering with Public Safety to provide evidence-based anti-hazing training in

- bystander action, ethical leadership, and promotion of strategies for building group cohesion without hazing; and
5. Building and maintaining a prominent hazing website that contains resources, training, and Student information aimed at reporting and preventing hazing at the University. Additional information published on the hazing website includes:
 - a. A statement notifying the public of the annual availability of the University's hazing statistics and a link to the Annual Security and Fire Safety Report;
 - b. Information about the institution's policies related to hazing and applicable local, State, and Tribal laws on hazing; and
 - c. The information required for the Campus Hazing Transparency Report.
 - C. The University Title IX Coordinator is responsible for investigating all alleged hazing incidents that also involve an alleged violation of Title IX protections.
 - D. Human Resources is responsible for investigating all alleged hazing incidents when the alleged respondent is a University Employee.
 - E. Supervisors are responsible for ensuring all Employees who qualify as Campus Security Authorities are offered training on a regular basis.
 - F. The Student Activities Coordinator is responsible for ensuring all Student Organization Leadership and Student Organization Advisors complete annual training.

V. HAZING PROHIBITION

A. Hazing can occur in any context, including but not limited to Student Organizations, athletic teams, residence halls, fraternities, sororities, and other groups or gatherings. All hazing activities are strictly prohibited by the University. This includes, but is not limited to:

1. **Physical hazing:** Any hazing activity which endangers the physical health or safety of the Individual or prospective Student Organization member, including, but not limited to, physical harm, whipping, beating, striking, electronic shocking, placing a harmful substance on someone's body, paddling, choking, branding, shaving, tattooing, exposure to the elements, boxing matches, and excessive exercise or calisthenics, or other physical contests, except as exempted in Section V.C.2 of this policy.
2. **Psychological hazing:** Any hazing activity that unreasonably endangers the mental health of the Individual or prospective Student Organization member including, but not limited to verbal abuse, isolation, sleep deprivation, physical confinement to unreasonably small, unventilated, unsanitary or unlighted areas, situations which lead to emotional stress or other extreme stress inducing situation, transportation and abandonment of an individual, or excessive fatigue.
3. **Sexual hazing:** Any hazing activity that involves sexual assault, harassment, or

inappropriate sexual behavior, including engaging in or simulating sexual acts or inducing another person to perform or simulate sexual acts, or total or substantial nudity. Hazing of a sexual nature may also violate Title IX protections.

4. **Substance-related hazing:** Any hazing activity that involves the forced, coerced or compelled ingestion or consumption of any substance including, but not limited to, alcohol, drugs, liquid, food, or other substances.
 5. **Degrading activities:** Any hazing task or activity that degrades or humiliates individuals including, but not limited to, exerting inappropriate levels of authority over Students or prospective members, unreasonable chores or acts of servitude, assignment of pranks to be performed, requiring acts that are conspicuous and/or not within community norms, the wearing or carrying of any obscene or physically burdensome article,.
 6. **Criminality-related hazing:** Any hazing activity against another person that includes a violation of local, State, Tribal, or federal law, or that requires the Individual or prospective member to perform a duty or a task that violates federal or state criminal laws, or the laws of the jurisdiction in which it is performed, including Fort Hall Reservation, or violating any University policies, rules, or regulations.
- B. Individuals or Organizations have engaged in hazing when the Individual or Organization
1. Engaged in or promoted any activities that are defined as hazing, including threats of hazing;
 2. Compelled or encouraged others to engage in activities that constitute hazing; or,
 3. Failed to report knowledge of hazing activities, either as a perpetrator or witness, to appropriate authorities.
- C. Exemptions:
1. Victims of hazing cannot be disciplined for violations of this policy, but can be disciplined for violations of other laws and/or policies, as applicable.
 2. Athletic programs are authorized to engage in customary athletic events, as well as customary athletic training, contests, or competitions. Hazing does not include practice, training, conditioning, and eligibility requirements for customary athletic events such as intramural or club sports, NCAA athletics, or similar contests or competitions; however, hazing activities occurring as a part of such athletic events or contests are prohibited.

VI. REPORTING AND INVESTIGATION

- A. If an Individual or Organization is suspected or reported to be hazing, a thorough investigation will be conducted by the appropriate authority. While the investigation takes place, the suspected Organization may be subject to interim actions including, but not

limited to, suspension of activities.

- B. The University encourages a culture of accountability and transparency. Any Student, Faculty, or Staff member, except those engaged in services that are kept confidential by law, who witnesses or becomes aware of hazing must report it immediately to any of the following, which will be shared with any other offices deemed appropriate:
1. In the event of an emergency, contact local emergency services;
 2. Online Reporting available on the University hazing website;
 3. Dean of Students' Office: (208) 282-2794;
 4. Department of Public Safety: (208) 282-2515;
 5. Human Resources: (208) 282-2517;
 6. Additionally, all employees, with few limitations, are mandatory reporters by University policy, see *ISUPP 3100 Policy on Equal Opportunity, Harassment, and Non-Discrimination*.
 7. Any Clery Act Campus Security Authority (CSA) who knowingly fails to report a crime or a violation of this policy or complete mandatory training may be subject to disciplinary action in accordance with this and other University policies, see *ISUPP 1050 Clery Act Compliance*.
- C. All reports will be investigated promptly and handled with discretion and respect for the privacy of the individuals involved. Retaliation, meaning adverse action because they engaged in a protected activity, against anyone who reports hazing is strictly prohibited.
- D. Investigation
1. Conduct that constitutes hazing may be found to violate other University policies, such as Title IX, or alcohol and drug policies. Suspected violations of this policy may be investigated by any or all of the following departments, depending on who has jurisdiction over the violation or the respondent, and information will be forwarded to different departments as required:
 - a. Allegations of hazing perpetrated by Students or Student Organizations will be investigated by Student Affairs;
 - b. Allegations of hazing perpetrated by University Employees will be investigated by Human Resources;
 - c. Allegations of hazing that involve Title IX violations will be investigated by the Title IX Office;
 - d. Criminal Misconduct will be referred to local police. In the event of a criminal investigation, University Public Safety will work with the local police department or other law enforcement organizations for the purpose of criminal investigation.

2. Investigation findings involving Student Organizations will be added to the Campus Hazing Transparency Report and tracked in applicable University systems.

VII. CONSEQUENCES FOR VIOLATION

- A. Hazing may result in serious individual and / or group disciplinary action. Any Individual or Organization found to have engaged in or facilitated hazing may face disciplinary actions, including but not limited to:
 1. Corrective action, reprimand, or mitigation of circumstances, up to an including termination from the university for cause.
 2. Suspension or expulsion from the University.
 3. Suspension or dissolution of the Student Organizations involved.
 4. Permanent loss of recognition for Student Organizations.
 5. Withdrawal of funding from Student Organizations.
 6. Criminal prosecution, if applicable, under state and federal law.
- B. A single event may receive sanctions as a violation committed both individually and as an organization.
- C. Student Groups found in violation of this policy will be listed on the University's website, as required by law.
- D. Violation of this policy may also violate other University policies. Nothing in this policy prevents the University from taking additional disciplinary measures against behavior that violates multiple policies.

IX. CAMPUS-WIDE EDUCATION AND PREVENTION

The University is committed to educating Students, Faculty, and Staff on the dangers of hazing and fostering a campus culture that emphasizes inclusion, respect, and safety. As part of this effort, the University will:

- A. Offer educational workshops and programs on hazing prevention and awareness through research-informed training which can be found at the University hazing website.
- B. Ensure that training for Faculty, Staff, and Students is available online.
- C. Student Organizations whose memberships are not trained in compliance with this policy are ineligible to receive University Funding.
- D. All Student Organizations and their Officers are required to participate in at least one (1) hazing workshop each academic year in order to be eligible for continued University recognition. On an annual basis, all Student organizational advisors must provide written

verification of acknowledgment and adherence to the University's anti-hazing policy.

IX. RELATED LAWS, RULES, AND POLICIES

- A. Pub. L. No. 118-173, *Stop Campus Hazing Act*
- B. 20 U.S.C. §1092(f), *The Jeanne Clery Campus Safety Act (Clery Act)*
- C. 34 C.F.R. § 668.41, *Reporting and Disclosure of Information*
- D. 34 C.F.R. § 668.46, *Institutional Security Policies and Crime Statistics*
- E. 20 U.S.C. 1070 et seq. *Higher Education Act of 1965*
- F. Idaho Code § 18-917
- G. Idaho Code § 18-917A
- H. ISUPP 1050 *Clery Act Compliance*
- I. ISUPP 3100 *Policy on Equal Opportunity, Harassment and Non-discrimination*
- J. ISUPP 5000 *Student Code of Conduct*