

## Header

Policy Name and Number: **Anti-Hazing Policy** (C3-1)

Policy Developer(s): Anti-Hazing Task Force

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Contact Person for Website: Director of Community Standards

## Body

### POLICY

This policy outlines the commitment of John Carroll University (“JCU” or “University”) to prohibit all forms of [hazing](#). Hazing is antithetical to the mission and values of JCU because it harms, degrades, and dehumanizes members of the John Carroll community. Therefore, hazing in any form is prohibited and will not be tolerated. In addition, Ohio law prohibits hazing. JCU will investigate and respond to all reports of hazing as outlined in this policy.

### PURPOSE

The purpose of this policy is to define hazing, detail reporting and response processes, and outline training and resources in order to prevent and respond to instances of hazing or potential hazing within the JCU community. [Hazing](#) is harmful and often dangerous. It can lead to social ostracism, including preventing members of the John Carroll community from fully participating in all aspects of the university experience. In some cases, hazing can lead to physical and/or mental pain, injury or harm, and even death. As such, hazing violates JCU’s commitment to providing a safe and positive environment for student learning, development, and growth.

### SCOPE

This policy applies to the following: all John Carroll University students; JCU recognized and approved [organizations](#); individuals who advise or coach an organization recognized or approved by JCU; alumni; and all JCU faculty and staff employees.

This policy applies to any act of [hazing](#) that occurs anywhere regardless of whether it is on or off campus. In addition, this policy applies at all times during the calendar year, regardless of breaks in the academic calendar.

### GUIDELINES

- A. [Ohio Revised Code \(O.R.C.\) 2903.31](#)(B)(I) prohibits any person from recklessly participating in the [Hazing](#) (as defined in O.R.C. 2903.31(A)) of another. Criminal penalties may be imposed for a violation of this law.
- B. Hazing in any form, as defined in this policy, is strictly prohibited. This applies whether or not those involved perceive the participation as voluntary. Those

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- engaging in Hazing are not exempt from responsibility by asserting that the conduct or activity was/was not part of an official group, [organization](#), or team event, or was/was not officially sanctioned or approved by the group, organization, or team.
- C. In accordance with [O.R.C. 2903.31\(B\)\(2\)](#), no employee, consultant, alumnus/a, or volunteer of JCU shall recklessly permit the Hazing of any person associated with JCU. Criminal penalties may be imposed for a violation of this law.
- D. A determination of whether or not an act constitutes Hazing depends not only on the intent of the individuals involved in the activity, but also the perception of a reasonable person or the individual(s) participating in the act.
- E. The following are examples of the most common types of Hazing. This is not an exhaustive list, as actions other than those listed below can still be considered Hazing:
1. Brutality of a physical nature, including but not limited to whipping, beating, branding, extreme or forced physical activity, sleep deprivation, exposure to the elements, deprivation of food or water, or forced ingestion of any substance, including alcohol, drugs, food, liquid, gas, or any other item or object.
  2. Brutality of a mental nature, including but not limited to acts that adversely affect the mental health or dignity of the individual, exclusion from social contact, or conduct that could result in extreme embarrassment or that is morally degrading.
  3. Brutality of a sexual nature.
  4. Verbal abuse, including but not limited to shouting, screaming, or use of derogatory, profane, or obscene language.
  5. Subservience, including but not limited to any activity which promotes a class system within an organization, or activities which facilitate inappropriate levels of authority over other students.
  6. Forced engagement in an act or activity that is against the individual's religious or moral beliefs or practices.
  7. Physical or psychological shocks.
  8. Any act which is a violation of federal, state, or local law and related to physical or mental harm or Hazing activities.
  9. Any act which is a violation of University policy and related to physical or mental harm.
  10. Any other act that creates a substantial risk of mental or physical harm to any person.

Not every activity listed above will constitute Hazing per se. Whether an action constitutes Hazing is governed under the standard of whether it is “more likely than not” considering the situation and all of the circumstances and facts. If you have questions about whether an act constitutes Hazing rather than a constructive, formative experience, please contact the Dean of Students Office at (216) 397-3010.

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F. **Reporting Requirements:** Campus safety is the University's highest priority and JCU takes all reports of misconduct seriously to protect the health and well-being of the campus community. JCU depends on its students, employees, and those affiliated with the University to identify and report behaviors of concern so that the University can provide distressed students and employees with appropriate support services and resources. We are all responsible for campus safety and prevention and reporting of [Hazing](#).

1. Any individual who witnesses an act of Hazing must immediately report such act to either of the following:

- i. Dean of Students Office at (216) 397-3010
- ii. John Carroll University Police Department at (216) 397-1234

In the event the hazing act takes place on or near campus and presents an immediate physical danger to anyone, or involves an emergency situation, the witness must immediately contact the John Carroll University Police Department (JCUPD) at (216) 397-1234. For emergencies that occur elsewhere, the witness should immediately contact 911 and then promptly follow up with JCUPD.

Non-emergency hazing situations may also be reported online here: [Hazing Reporting Form](#)

2. In accordance with [O.R.C. 2903.311](#), no employee, consultant, alumnus/a, or volunteer of JCU, who is acting in an official and professional capacity, shall recklessly fail to immediately report the knowledge of Hazing (as defined by [O.R.C. 2903.31](#)) to a law enforcement agency in the county in which the victim of Hazing resides or in which the Hazing is occurring or has occurred. Criminal penalties may be imposed for a violation of this law.

Additionally, that reporting individual is also required to contact the John Carroll University Police Department at (216) 397-1234 to report the act of Hazing within 48 hours.

3. Any student who cooperates fully as a witness in the investigation and conduct process related to Hazing will have that cooperation taken into account when determining appropriate JCU disciplinary actions.
4. An individual's refusal to identify any student(s), organization(s), member(s) of a group, organization, or team, or any individual who engages in Hazing activities may result in additional disciplinary actions.
5. Any retaliation against cooperating/reporting individuals is strictly prohibited and will be met with increased disciplinary action over and above those outlined in this policy.

### G. Training and Education Requirements

1. JCU offers training and education regarding [Hazing](#) to all of the following:

- i. Students enrolled at JCU;
- ii. All JCU faculty and staff; and
- iii. [Organizations](#) recognized or approved by JCU.

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2. Completion of this training program is mandatory for the following and attendance will be verified by JCU:
  - i. Students enrolled at JCU; and
  - ii. All employees and volunteers who advise or coach an organization and who have direct contact with students.
3. Training may be conducted in-person or online and shall contain the following components:
  - i. Awareness;
  - ii. Prevention;
  - iii. Intervention; and
  - iv. Explanation of this policy.
4. JCU shall provide at least one opportunity for students to complete this training during the new student orientation each year.
5. Any student who fails to attend such training will not be permitted to participate in any JCU approved or recognized organization, group, or team. Continued failure to complete the training will result in a referral to the student conduct process.
6. No JCU approved or recognized organization is permitted to accept or initiate any student who has not attended the training program. JCU may revoke permission for an organization to operate if the organization accepts a student who has not completed the required training.
7. Any employee who advises or coaches an organization and has direct contact with students who fails to attend such training will be referred to Human Resources and appropriate corrective action will be taken in accordance with all applicable policies and procedures for failure to comply with the requirements of this policy.
8. Any volunteer who advises or coaches an organization and has direct contact with students who fails to attend such training will no longer be permitted to participate in any position that has contact with JCU students.
9. A record of all individuals who complete this training shall be retained for a period of seven (7) years.

#### H. Institutional Reports

1. JCU will maintain documents relating to Hazing and all violations of this policy for five (5) consecutive years from the date the incident occurs. Each year, a report compiling all of the Hazing violations for the past five (5) years will be posted on JCU's website. The first report shall be posted no later than January 15, 2023 and shall contain information of all Hazing violations reported to JCU for the five-year period prior to October 7, 2021. JCU will update the report bi-annually by January 1 and August 1 of each year and will post the updated report on the University's website.

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2. Each report shall contain the following information:
  - i. The name of the subject of the report (e.g. student organization name; or non-personal identifier of an individual);
  - ii. The date when the subject of the report was charged with a violation of the policy or other state law regarding Hazing;
  - iii. A general description of the violation, any investigation and findings by JCU, and any penalties imposed on the subject of the report; and
  - iv. The date on which the matter was resolved.
3. Each report shall not include the personal identifying information of an individual and shall be subject to the Family Educational Rights and Privacy Act of 1974 (“FERPA”).
- I. A copy of this policy is posted on JCU’s website [here](#) and shall be distributed to each JCU organization.

### ENFORCEMENT

#### A. Investigation

1. When a violation of this policy is reported to either the Dean of Students Office or the John Carroll University Police Department, an investigation into the matter will be immediately commenced. Interim measures to protect the safety and/or well-being of others may be taken, such as removal of a student or organization from activities.
2. For students and student [organizations](#), the [Hazing](#) activity will be investigated and resolved in a manner consistent with the Student Code of Conduct.  
  
If a formal charge is made against an organization with an international or national oversight entity, that entity shall be notified as well.
3. For employees or volunteers, the violation will be investigated and resolved in a manner consistent with all applicable JCU policies and procedures.

#### B. Sanctions for Violations

- I. Student Violations: Hazing is a serious violation of JCU’s [Community Standards](#). Therefore, students are subject to the full range of sanctions in accordance with the Student Code of Conduct. Additionally, any of the following sanctions may be imposed for a violation of this policy:
  - i. Restorative actions that seek to repair harm done to the impacted parties.
  - ii. Additional education regarding hazing.
  - iii. Imposition of a fine and/or restitution.
  - iv. Withholding of a diploma or transcript, pending compliance with the rules and/or payment of a fine.
  - v. Imposition of probation, suspension, or dismissal.

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2. Student Organization Violations: Sanctions against groups or [organizations](#) for violations of this policy that occur by members of student groups or organizations may include the following:
  - i. Restorative actions that seek to repair harm done to the impacted parties.
  - ii. Additional education regarding hazing.
  - iii. Imposition of a fine and/or restitution.
  - iv. Termination of organizational recognition or denial of application for formal recognition.
  - v. Loss of the organization's University privileges, such as the ability to formally meet on campus and to use campus facilities or resources, or to represent the University or to hold itself out as a University organization.
  - vi. Revocation of permission for such organization to operate under the recognition or approval of JCU.
3. Employee Violations: Violations of this policy by employees of JCU may result in corrective action (up to and including termination) in accordance with applicable University policies and procedures.
4. Other Individual Violations: Individuals, including alumni, consultants, advisors, and volunteers, who act in an official and professional capacity advising, coaching, or volunteering, or otherwise participating or having any involvement in a JCU organization who violate this policy will no longer be permitted to have any participation or involvement with any JCU organization. Additionally, such individuals may be prohibited from entering onto JCU-owned property.
5. Law enforcement will be contacted for any violation of this policy that is also a violation of the law. Sanctions imposed by JCU may be in addition to any criminal penalties imposed pursuant to local, state, or federal laws.

### DEFINITIONS

#### A. Hazing

- a. Pursuant to [Ohio Revised Code \("O.R.C."\) 2903.31\(A\)\(1\)](#), *hazing* means doing or coercing another, including the victim, to do any act of initiation into any student or student-related organization, or any act to continue or reinstate membership in or affiliation with any student or student-related organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse, as defined in [O.R.C. 3719.011](#).
- b. In addition to the above definition, JCU further defines hazing to include any planned/executed action or activity by or against an individual, or an active member, associate member, new member, or potential member of a group, organization, or team, that causes or creates a risk of causing harm to any person, regardless of location, consent, or intention of participants.

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- c. For the purposes of this policy, *harm* includes, but is not limited to anxiety; disgrace; distress; embarrassment; emotional, mental, or physical pain; endangerment; harassment; humiliation; or ridicule.
- B. **Organization:** Any reference to an organization in this policy shall mean any student-related group, team, or entity approved or recognized by JCU. This includes, but is not limited to, any of the following:
  - a. Athletic teams (e.g., varsity teams, club sports, intramural teams)
  - b. Fraternities and sororities, including a national or international organization with which a fraternity or sorority is affiliated
  - c. Groups affiliated with an academic class
  - d. Music groups (e.g. band, ensembles, etc.)
  - e. Military organizations
  - f. Honor societies
  - g. Performing art groups
  - h. Spirit groups (e.g. cheer, dance, drill, etc.)
  - i. Student organizations and/or groups

#### OTHER RESOURCES

Students struggling with hazing can contact the following to learn about resources to assist them:

Dean of Students Office – (216) 397-3010

Office of Student Engagement – (216) 397-4288

University Counseling Center – (216) 397-4283

National Hazing Hotline – (888) 688-4293 (or 888-NOT-HAZE);

<https://hazingprevention.org/report-hazing>

#### CROSS REFERENCES

- A. University Policies
  - a. [Community Standards Manual](#)
  - b. [Student Community Standards Manual](#)
  - c. [Alcoholic Beverage Policy](#)
  - d. [Drug Policy](#)
  - e. [Sexual Harassment and Interpersonal Violence Policy](#)
  - f. [Mandatory Reporting Policy](#)
- B. Other University Document
  - a. [Hazing Reporting Form](#)
- C. State Laws
  - a. [Ohio Revised Code \("O.R.C."\) 2903.31 | Hazing](#)
  - b. [O.R.C. 2903.31 | Reckless failure to immediately report knowledge of hazing](#)
  - c. [O.R.C. 3719.01 | Controlled substances definitions for use in Revised Code](#)
- D. Federal Law
  - a. [Family Educational Rights and Privacy Act of 1974](#)

This policy, and the training and education processes contained herein, shall be reviewed **on an annual basis**.