
Policy Number: **Date Issued:** Sept. 1, 2022

Section: Student Affairs **Revised Date:**

Title: Anti-Hazing Policy **Review Date:** Annual

Effective Date: September 1, 2022 **Attachments:** None

Responsible University Officer: Provost

Responsible Office: Student Learning and Development

Applies to: All Capital University Students, Faculty, Staff, Volunteers, Guests, and Visitors

I. Policy

Capital University is committed to ensuring a safe environment free from all forms of hazing. All members of the University community, including students, faculty, staff, volunteers, guests, and visitors, are expected to conduct themselves in a manner that does not infringe upon the rights of others. The University takes the position of zero tolerance for hazing. Zero tolerance means that when an allegation of misconduct is brought to an appropriate administrator's attention, protective and other remedial measures will be used to reasonably ensure that such conduct ends, is not repeated, and the effects on the individual whose rights have been violated as well as the effects on the community are remedied, including serious sanctions when a responding party is found to have violated this policy. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and to establish a mechanism for determining when those expectations have been violated. The policy was created in accordance with Colin's Law, passed by the Ohio Legislature in 2021.

II. Definitions

A. Hazing- is defined by Ohio law as "doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization or any act to continue or reinstate membership in or affiliation with any student or other 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."

- B. Reckless:** In the context of the hazing policy, reckless is defined by the Ohio Revised Code *Sec. 2902.22 (C)* as, “A person acts recklessly when, with heedless indifference to the consequences, the person disregards a substantial and unjustifiable risk that the person's conduct is likely to cause a certain result or is likely to be of a certain nature. A person is reckless with respect to circumstances when, with heedless indifference to the consequences, the person disregards a substantial and unjustifiable risk that such circumstances are likely to exist.”
- C. New Member Education Period-** A period of education of varying time duration that occurs for new members to a fraternity or sorority that consists of information about the organization & how to operate as a member. Colloquially referred to as “pledge education.”
- D. Standard of Proof - Preponderance of Evidence:** Capital University uses preponderance of the evidence (more likely than not to have occurred) as the standard of proof to determine whether a violation of this policy occurred.
- E. Amnesty Policy:** The University is committed to facilitating an environment that supports reporting incidents of hazing. Individuals may be hesitant to report to university officials or participate in the resolution process because they fear that they themselves may be accused of a policy violation, such as underage drinking at the time of the incident. To encourage reporting, the University has an Amnesty provision, as delineated in Section 5: Safety Policies of the Student Handbook, in which the University will attempt to provide educational options rather than formal sanctions for minor policy violations related to the incident.
- F. Supportive Measures:** At the time of a report of prohibited conduct under this policy, the University may implement supportive measures as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent. Supportive measures are designed to restore or preserve equal access to the University’s education programs and activities without unreasonably burdening the other party. Supportive measures are non-disciplinary, non-punitive, individualized services and may include measures designed to protect the safety of all parties or the University’s educational environment. Supportive measures are available to both the complainant and respondent regardless of whether the complainant chooses to file a formal complaint.

Supportive measures are services, accommodations, or other assistance that the University puts in place after receiving notice of alleged conduct prohibited under this policy but before any final outcomes —investigatory, disciplinary, or remedial—have been determined. The following are examples of interim measures and are not expected to be all-inclusive:

- Academic accommodations for Complainant or Respondent.
- Medical and mental health services, including counseling, for Complainant or Respondent.
- Change in university housing.
- Assistance in finding alternative housing.
- Assistance in arranging for alternative University employment arrangements and or changing work schedules.
- Mutual No Contact directive; a directive serves as a notice to the parties that they must not have verbal, electronic, written, or third-party communication with one another.
- Provide escort so the individual can move safely between school programs and activities
- Respondent placed on administrative leave (employee) or interim suspension (student).
- Voluntary leave of absence.
- University-imposed leave or separation.

The Director of Conduct is responsible for coordinating the effective implementation of Supportive Measures. The University will maintain as confidential any accommodations or protective measures provided, to the extent that maintaining such confidentiality will not impair the ability of the University to provide the accommodations or protective measures.

- G. Retaliation:** Any form of intimidation, threat, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege established by this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Retaliation also includes filing a complaint against an individual for code of conduct violations that do not involve hazing but arise out of the same facts or circumstances as a report or complaint of hazing for the purpose of interfering with any right or privilege under this Policy.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation prohibited under of this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

H. University Jurisdiction

Capital University students are provided access to the Code of Conduct through the Capital University website. Students are responsible for reading and abiding by the provisions in the Code of Conduct. University jurisdiction relative to Student Conduct administration shall include conduct that:

- Occurs on or off University premises.
- Occurs at University-sponsored or University-supervised events regardless of where they occur.
- Relates to any facet of the relationship between the student and Capital University's study abroad/away and other off campus academic or other recognized programs.
- Occurs online, via email, or through another electronic medium.

I. Mandatory Reporter

Mandatory reporters are defined as any full or part-time employee (including student employees and graduate assistants) or any volunteer acting in an official capacity who advises or coaches student organizations and/or student groups and who have direct contact with students.

III. Policy Details

Context on the need for this policy: The policy exists to address hazing that may occur in the Capital University community, ensure the conduct ends, and provide support to individuals who have been adversely affected by incidents of hazing behaviors. The policy augments pre-existing efforts to mitigate hazing, as well as ensure that existing university infrastructure and support systems are in compliance with Ohio law. It is the aim of institutional policy to mitigate any and all hazing-related behaviors, as well as to continue to promote a culture of student safety.

IV. Procedure

A. Student Preventative Education and Training Measures:

All students are provided with opportunities for hazing prevention education during their university onboarding experience. For undergraduate students, the completion of this training is verified by the Office of Student & Community Engagement (SCE). Additional opportunities for training and preventative education may be offered during the following (but not limited to): Fraternity & Sorority new member education/retreats, athletic team orientations/team meetings, performing ensemble meetings/retreats, and student organization training sessions/conferences.

Responsibility of individual students: Before joining any university group (including student organizations, athletic teams, student groups, and music ensembles), students are responsible for completing the online Anti-Hazing training provided to them by the University.

Responsibility of Student Organizations: Student Organization leaders will receive the Capital University Anti-Hazing policy semesterly, and undergraduate organization leaders will receive trainings and updates at meeting sponsored by the SCE. Leaders are responsible for distributing the policy throughout their organization. All undergraduate Student Organizations should designate one individual on their executive board with the responsibility for updating their Engage roster monthly. The SCE will verify any new members have completed the training. If a new member has not completed the training, the student and the organization will be alerted, and student should complete the training before participating in any additional organization events. For all student organizations (undergraduate, graduate, seminary, or law), if the student organization allows a student to participate, knowing they did not complete the required training, the student organization could face sanctions, including but not limited to loss of registration status, loss of university funding, or loss of event privileges.

Responsibility of student groups, music ensembles, athletic teams: All students, employees, and volunteer advisors and coaches are required to complete hazing education as part of being a member of the University community. Further, all recognized student groups must conduct mandatory training on hazing for any volunteer who has contact with students. Student leaders are responsible for distributing the Capital University Anti-Hazing policy to all their group members.

B. Faculty and Staff Education and Training Measures:

Faculty and Staff are offered training through online modules. This training is mandatory for all employees. Faculty and staff who advise student organizations will receive additional opportunities for training. In addition to the online modules, the Center for Excellence in Learning & Teaching may offer programming for in-person training.

C. Student Conduct Process

All allegations of hazing by students will follow the Student Conduct process, which can be found in the Student Handbook. The Student Handbook is shared with students via email at the beginning of both the fall and spring academic semesters and can be found online here:

https://www.capital.edu/uploadedfiles/content/audience_navigation/current_student/studenthandbook20969.pdf.

[During the period of investigation, the organization may be placed on probationary status and may temporarily lose meeting and event privileges.](#) Any student organization may be held accountable

for the actions of any of its members if the misconduct is in any way related to the student organization. Group misconduct need not have been officially approved by the entire membership to be considered grounds for possible disciplinary action against the student organization. There is no minimum number of student organization members who must be involved in an incident before disciplinary action may be taken against the entire student organization. In some instances, the conduct of a single member may provide sufficient grounds for action against the entire student organization. An appropriate test to determine whether a student organization may be held accountable for the conduct of individuals is to ask whether it is likely that the individuals who have been involved in the incident if they were not members of the student organization, or, if, by student organization action, the incident was encouraged, fostered, or might have been prevented.

D. Student Sanctions

Any student found responsible for allegations of hazing will be assigned sanctions through the conduct process. Sanctions can be found in the Student Handbook. The Student Handbook is shared with students via email at the beginning of both the fall and spring academic semesters and can be found online here:

https://www.capital.edu/uploadedfiles/content/audience_navigation/current_student/studenthandbook20969.pdf.

Sanctions specific to organizations are highlighted below:

- **Warning:** The official warning is notification to the student(s) that they have been found responsible for a violation and that any other violations could result in more serious sanctions. A warning can be time-designated.
- **Probation:** Probation is a sanction permitting a student to remain enrolled under prescribed conditions. Probation is designated for a specified period of time and includes the probability of more severe disciplinary sanctions if the student is found to have engaged in any additional misconduct during the probationary period.
- **Loss of Privileges:** Denial of specific privileges for a designated period of time.
- **Restitution:** Compensation for loss, damage, or injury. This may take the form of service, monetary, or property replacement. Payments required may not exceed the cost of repair or replacement of the damaged or stolen item, but a lesser amount may be specified.
- **Discretionary Sanctions:** Work assignments, essays, service to the University, learning outcome specific assignments, or other related assignments may be assigned.
- **Residential/Housing Relocation:** If a student is living in a residence hall, they may be required to move to another floor or into another residence hall.
- **Student Organization Suspension:** loss of privileges, including University recognition, for a specified period of time. At the end of the period of suspension, the student organization is eligible to seek University recognition and privileges, subject to conditions for reinstatement.
- **Student Organization Expulsion:** permanent loss of university recognition

E. Employee Sanctions

Respondent is a Faculty Member– If corrective action is termination, non-renewal, or denial or delay of promotion or sabbatical, said corrective action will be pursued in accordance with the Faculty Handbook unless the Respondent chooses to accept the corrective action and forego the Faculty Handbook process.

Respondent is an Administrator or Staff Employee – Corrective action will follow the procedures in the Administrative/Staff Handbook and may include termination as an immediate step if the behavior is that of gross misconduct or similar to those listed under the Termination policy in the handbook.

V. Reporting Responsibilities

A. Reporting to institution and law enforcement

Employees and volunteers at Capital University have a duty to report hazing. Each employee and volunteer must report an incident of hazing to law enforcement (Capital University Police can be reached at 614-236-6666). In addition to reporting to law enforcement, the reporting party should file a report with the institution. This is in accordance with Ohio Revised Code: *Sec. 2903.311 (B)*.

B. External Report

Capital University will maintain a report of all violations of this policy that are reported to the University, and which result in a charge of violation of this Policy. Capital University will update the report bi-annually on January 1 and August 1 of each year and will post the updated report on the University webpage.

C. Capital University Anti-Hazing Page

Capital University will create an Anti-Hazing webpage, within the University website, which includes reporting options, resources, and the External Report.

VI. Resources

Capital University Anti-Hazing page (coming soon) [ODHE](#)
[Page about Collin's Law](#)
[Model Policy Language](#)
[NCAA Anti-Hazing](#)

VII. Contacts

Offices/units that can be contacted regarding the policy:
Student Conduct
Human Resources
Student and Community Engagement
Athletics

VIII. History

Policy created Spring/Summer 2022
Approved by President's Cabinet on Sept. 6, 2022