I. SCOPE

This Anti-Hazing Policy ("Policy") is published in accordance with Act 80 of the 2018 Timothy J. Piazza Anti-Hazing Law, 18 Pa. C.S. §2808 et seq. ("Anti-Hazing Law"). This Policy applies to Students, Organizations, and other persons associated with an Organization, including relevant Employees who serve as coaches, sponsors, or in other roles through which they may have occasion to allow, facilitate, or disregard acts of Hazing, Aggravated Hazing, or Organizational Hazing. Please see Section IV below for the definitions of capitalized terms contained in this Policy.

II. POLICY STATEMENT

The purpose of this Policy is to set forth the rules prohibiting Students, Organizations, or other persons associated with an Organization operating under the sanction of or recognized as an Organization by the University from engaging in Hazing; to state the University’s position on Hazing; identify how the University will enforce this Policy; and identify resources for reporting violations of this Policy.

III. POLICY

The University does not tolerate Hazing. Any Student, Organization, or other persons associated with an Organization found responsible for Hazing, Aggravated Hazing, or Organizational Hazing under this Policy, whether occurring on or off campus, may face disciplinary action from the University, and may also face criminal charges under applicable Federal law, State law, or Local law, including the Anti-Hazing Law. Hazing, Aggravated Hazing, and Organizational Hazing are each prohibited by this Policy. It shall not be a defense that the consent of the Student was sought or obtained. It is also not a defense that the conduct was sanctioned or approved by the University. Retaliating in any manner against any individual who reports Hazing, Aggravated Hazing, or Organizational Hazing, or who participates in an investigation of a report of same is prohibited.
IV. DEFINITIONS

A. Hazing

A person commits the offense of Hazing if the person intentionally, knowingly, or recklessly for the purpose of initiating, admitting, or affiliating a Student into or with an Organization, or for the purpose of continuing or enhancing a Student’s membership or status in an Organization, causes, coerces, or forces a Student to do any of the following:

1. Violate Federal or State criminal law;
2. Consume any food, liquid, Alcoholic Liquid, Drug, or other substance which subjects the Student to risk of emotional or physical harm;
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics, or exposure to the elements;
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct that could result in extreme embarrassment;
5. Endure brutality of a sexual nature; and/or
6. Endure any other activity that creates a reasonable likelihood of Bodily Injury to the Student.

Hazing shall NOT include reasonable and customary athletic, law enforcement, or military training, contests, competitions, or events.

B. Aggravated Hazing - A person commits the offense of Aggravated Hazing if a person commits a violation of Hazing that results in Serious Bodily Injury or death to a Student; and

1. The person acts with reckless indifference to the health and safety of the Student; or
2. The person causes, coerces, or forces the consumption of an Alcoholic Liquid or Drug by the Student.

C. Organizational Hazing - An Organization commits the offense of Organizational Hazing if the Organization intentionally, knowingly, or recklessly promotes or facilitates a violation of Hazing or Aggravated Hazing.

D. Organization - Any of the following:

1. An association, club, corporation, corps, fraternity, order, service, society, sorority, social or similar group, whose members are primarily Students or alumni of the University.
2. A national or international organization with which an Organization enumerated under paragraph D (1) is affiliated.

Organization includes sports teams such as athletics, intramural, and recreation teams.

E. Alcoholic Liquid - A substance containing liquor, spirit, wine, beer, malt, or brewed beverage, or any combination thereof.
F. **Drug** - A controlled substance or drug as defined in the Act of April 14, 1972 (P.L.233, Mo.64), known as The Controlled Substance, Drug, Device, and Cosmetic Act.

G. **Student** - An individual who attends, has applied to attend, or has been admitted to Arcadia University.

H. **Bodily Injury** - Impairment of physical condition or substantial pain.

I. **Serious Bodily Injury** - Bodily Injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

J. **University** - Arcadia University and its colleges, schools, affiliates, divisions, and subsidiaries.

K. **Safe Harbor** - A provision in the Anti-Hazing Law which, under limited circumstances, gives protection to individuals from criminal liability who seek medical attention for themselves or others. The University’s [Medical Amnesty policy](#) also provides amnesty from violations of the Arcadia University Code of Conduct for students who seek immediate medical attention for themselves or individuals in a life threatening drug/alcohol related condition. The student reporting the incident must state their name and remain with the individual in need of medical assistance until help arrives. The policy does not grant amnesty from criminal, civil, or legal consequences for violations of Federal, State, or Local law.

L. **Retaliation** - Retaliating in any manner against any individual who reports Hazing, Aggravated Hazing, or Organizational Hazing, or who participates in an investigation of a report of same is prohibited. Retaliation is taking any adverse action against a person in response to that person's participation in such conduct as, but not limited to, reporting, filing a complaint, or cooperating in an inquiry or investigation. Adverse actions and retaliatory behavior can include, but is not limited to, harassment, bullying, intimidation, threats, or engaging in physical violence; adverse employment action (termination, reduction in pay, etc.); adverse action related to educational opportunities; adverse social actions such as exclusion or removal from an Organization; and encouraging or asking others to engage in retaliatory behavior on one's behalf.

M. **Employees** - The category of Employees includes all full-time and part-time, exempt and non-exempt, faculty members, staff members, independent contractors, and volunteers of the University.

V. **SANCTIONS**

Anyone found responsible for violating this Policy may face disciplinary action, up to and including expulsion from the University, and may also face criminal charges under applicable Federal law, State law, or Local law. University disciplinary measures include, but are not limited to:
• Verbal or written warning
• Assignment of verbal or written apology
• Mandatory education
• Counseling
• Community Service
• Penalties imposed by Student Affairs
• The imposition of fines
• The withholding of diplomas or transcripts pending compliance with the rules or payment of fines
• The rescission of permission for the Organization to operate on campus property or to otherwise operate under the sanction or recognition of Arcadia University
• The imposition of probation, suspension, dismissal, or expulsion

Additional penalties that may be imposed for Athletics include:
• Penalties imposed by head coaches or athletics administrators, the NCAA, or MAC
• Suspension from practice/competition or removal from a team
• Termination of athletics eligibility
• Cancellation of games and/or remainder of a season
• Post-season ban

Such sanctions may be assigned to individual Students or to Organizations. The University may assign other sanctions as appropriate in each particular situation, including situations involving Employees.

VI. REPORTING VIOLATIONS OF THIS POLICY

Arcadia encourages all members of its community who believe that they have witnessed, experienced, or are aware of conduct that constitutes Hazing, Aggravated Hazing, or Organizational Hazing in violation of this Policy to report the violation to the Dean of Students, the Director of Athletics, the Director of Public Safety or any other supervising staff member. If studying abroad, reports should be made to the Resident Director, Program Leader, or other supervising staff member.

Members of the Arcadia community may also report Hazing through the anonymous, confidential Campus Conduct Hotline Reporting System (CCH), which is managed by In Touch, via telephone at 1-866-943-5787 (toll free) or directly on the web at: www.intouchwebsite.com/cch1079. This is a secure, confidential website. CCH will not know and cannot disclose the identity of the reporter. The protected disclosure is then immediately sent to the Chair of the Audit Committee of the Board of Trustees and the General Counsel for investigation. CCH does not replace our existing methods for reporting problems or complaints. Rather, it is intended to complement and supplement existing University procedures.

VII. ENFORCEMENT OF THIS POLICY

Any violation of this Policy shall be deemed a violation of the University’s Student Code of Conduct. All allegations of Hazing, Aggravated Hazing, or Organizational Hazing will be investigated by the Dean of Students or the Director of Health, Safety and Security at The
College of Global Studies, as applicable, and sanctions will be applied where appropriate. In addition, the University includes in its Student orientation a program to increase awareness of Hazing and to educate the University community on this Policy. This program also includes discussion about the ‘Safe Harbor’ provision in the Anti-Hazing Law, which, under limited circumstances, gives protection to individuals from criminal liability who seek medical attention for themselves or others, as well as the University’s Medical Amnesty policy. Situations involving Employees will be addressed by Human Resources.

VIII. BI-ANNUAL REPORT

The University is required by the Anti-Hazing Law to maintain a report of all violations of this Policy or of Federal or State laws related to Hazing that are reported to the University during the five (5) previous consecutive years. The Director of Public Safety will compile this information as required and update the report bi-annually on January 1 and August 1 of each year and will post the updated report on its publicly accessible website. The Office of General Counsel must review each Report prior to its publication.

IX. EFFECTIVE DATE

This Policy is effective the date that it is signed by the President.

X. SIGNATURE, TITLE AND DATE OF APPROVAL

Ajay Nair, President

Date: 6/6/19