

3356-8-08 Anti-hazing.

- (A) Policy statement. Youngstown state university (university) condemns hazing and is committed to providing a safe environment in which members of the learning community may participate in experiences and activities without compromising their health, well-being, dignity, and/or rights. Prevention of hazing is the responsibility of every member of the university community, including students, student organizations, university-sponsored programs, coaches, student groups, faculty members, employees, volunteers, and alumni.
- (B) Purpose. This policy governs the university's implementation of Collin's Law: The Ohio Anti-Hazing Act. The policy defines key terms; prohibits hazing and related conduct; describes reporting duties; establishes corrective action and discipline for violating the policy; details how information about hazing violations shall be shared and reported; and sets forth the requirements for anti-hazing educational and training programs.
- (C) Scope.
- (1) The policy shall apply to any act of hazing or violation of paragraph (G) of this policy that takes place on or off campus between two or more people who are affiliated with the university.
- (2) This policy applies to all members of the university community, including faculty, staff, students, volunteers, organizations, university-sponsored programs, as well as visitors and other licensees and invitees.
- (3) NCAA student-athletes shall follow the policies and guidelines set forth by the NCAA, the affiliated conference, and the university department of athletics in addition to this policy.
- (D) Definitions.
- (1) "Hazing," as set forth in section 2903.31 of the Revised Code, as amended, means 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, as defined in section 3719.011 of the Revised Code. (See 3356-8-01.1, "The Student Code of Conduct," which prohibits hazing.)

- (2) “Organization” means any university-sponsored program or registered student organization recognized by or operating under the sanction of the university, including but not limited to: registered student organizations, Greek life, club sports, athletics, honors college, student programming board, student government, student media, marching band, music ensembles and theater. “Organization” includes a national or international organization with which a fraternity or sorority is affiliated.
- (3) “Student” means all persons registered for courses, seminars, and workshops at the university, either full-time or part-time, pursuing undergraduate, graduate, professional studies, or continuing education. This includes college credit plus students and Youngstown early college students. Also included are those individuals accepted for admission or living in the residence halls, whether enrolled at the university.
- (4) “Staff” means any individual employed by the university, including administrators, employees, faculty members, teachers, consultants and coaches. “Staff” does not include student employees.
- (5) “Serious physical harm” means any of the following:
- (a) Any mental illness or condition of such gravity as would normally require hospitalization or prolonged psychiatric treatment;
 - (b) Any physical harm that carries a substantial risk of death;
 - (c) Any physical harm that involves some permanent incapacity, whether partial or total, or that involves some temporary, substantial incapacity;
 - (d) Any physical harm that involves some permanent disfigurement or that involves some temporary, serious disfigurement; or
 - (e) Any physical harm that involves acute pain of such duration as to result in substantial suffering or that involves any degree of prolonged or intractable pain.
- (E) Procedure. The division of student affairs shall be responsible for developing and enforcing anti-hazing procedures and policies at the university. The office of human resources shall assist the division of student affairs with the development and enforcement of the anti-hazing

policy where it pertains to staff, coaches, and volunteers who are registered with human resources.

(F) Duty to report hazing violations.

- (1) All university staff, coaches, alumnus, and volunteers are required to immediately report the suspicion or knowledge of a hazing incident to:
 - (a) University police at 330-941-3527; and
 - (b) The law enforcement agency in the county in which the victim of hazing resides or in which the hazing is occurring or has occurred; and
 - (c) The office of community standards and student conduct in person or through the [online reporting form](#) on the website.
- (2) All students, parents, and members of the community are encouraged to immediately report the suspicion or knowledge of a hazing incident to:
 - (a) University police at 330-941-3527; and/or
 - (b) The law enforcement agency in the county in which the victim of hazing resides or in which the hazing is occurring or has occurred; and/or
 - (c) The office of community standards and student conduct in person or through the [online reporting form](#) on the website.
- (3) Students, parents, and members of the community may report known or suspected incidents of hazing anonymously.
- (4) Amnesty. The university encourages students to report potential violations of university policies, including the anti-hazing policy. Students who report potential incidents of hazing may be exempted from the formal student conduct process for minor policy violations that arose out of, or were committed as a direct result of, the reported incident. The office of community standards and student conduct has complete discretion to determine whether to grant an exemption in such cases. Exemptions do not apply to behaviors that endanger or harm the health, safety, or well-being of others. Hazing is considered a behavior that endangers the health, safety, or well-being of others; and, therefore, students will not be

exempted from any actions taken to participate in, condone, or act in complicity with hazing.

(G) Prohibited conduct.

- (1) No person or organization shall commit hazing as defined in paragraph (D)(1) of this policy.
- (2) No administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization shall recklessly permit the hazing of any person associated with the organization.
- (3) No administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization who is acting in an official and professional capacity shall recklessly fail to immediately report the knowledge of hazing to university police and to the law enforcement agency in the county in which the victim of hazing resides or in which the hazing is occurring or has occurred.
- (4) No person or organization shall retaliate against or take adverse action toward any reporting party and/or any person participating in a hazing investigation or disciplinary proceeding.

(H) Criminal sanctions.

- (1) Participating in hazing. Pursuant to section 2903.31 of the Revised Code, a person who recklessly participates in the hazing of another commits a misdemeanor of the second degree. If the hazing includes coerced consumption of alcohol or drugs of abuse resulting in serious physical harm to the other person, the criminal penalty is increased to a felony of the third degree.
- (2) Permitting hazing. Pursuant to section 2903.31 of the Revised Code, an administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization who recklessly permits the hazing of any person associated with the organization commits a misdemeanor of the second degree. When the hazing includes coerced consumption of alcohol or drugs of abuse resulting in serious physical harm to that person, the criminal penalty is increased to a felony of the third degree.
- (3) Failure to report hazing. Pursuant to section 2903.311 of the Revised Code, an administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization who is acting in an official and professional capacity who recklessly

fails to immediately report the knowledge of hazing 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 commits a misdemeanor of the fourth degree. When the hazing causes serious physical harm, the criminal penalty is increased to a misdemeanor of the first degree.

(I) University sanctions.

- (1) University policy 3356-8-01.1, "The Student Code of Conduct" governs student conduct investigations, hearings, and sanctions for hazing, including hazing violations by student groups and registered student organizations. See "Article IV, Student conduct procedures." The dean of students, or designee, shall coordinate the investigation of all hazing allegations.
- (2) Appropriate penalties for a violation of the anti-hazing policy shall be based on the severity of the violation and may include any of the following:
 - (a) Educational sanctions, including but not limited to topical reflections, online modules, campus referrals, continued enrollment status agreements, and re-entry plans;
 - (b) The imposition of fines;
 - (c) Withholding of diplomas or transcripts pending compliance with the rules or payment of fines;
 - (d) The revocation of permission for an organization to operate on campus or to otherwise operate under the recognition or sanction of the institution; or
 - (e) The imposition of probation, suspension, or expulsion.
- (3) Staff who violate this policy shall be subject to disciplinary proceedings under the collective bargaining agreement governing their position. Excluded professional administrative employees and excluded classified employees not covered by a collective bargaining agreement will be subject to disciplinary proceedings established by the office of human resources.
- (4) A penalty imposed under this policy shall be in addition to a penalty imposed for a violation of section 2903.31 of the Revised Code, the criminal laws of Ohio, or for a violation of any other rule

of the university to which the individual or organization who committed the violation may be subject.

(J) Reporting/posting requirements.

- (1) The university shall provide a copy of the anti-hazing policy and policy 3356-8-01.1, "The Student Code of Conduct" to each organization within the university.
- (2) The university shall post the [anti-hazing policy](#) on the website of the division of student affairs.
- (3) Beginning in the 2022-2023 academic year, the university shall maintain a report of all violations of the anti-hazing policy or other state law regarding hazing that are reported to the university. The report shall be posted on the website of the office of community standards and student conduct.
- (4) Each report referenced in paragraph (J)(3) of this policy shall include all of the following:
 - (a) The name of the subject of the report;
 - (b) The date when the subject of the report was charged with a violation of the anti-hazing policy or other state law regarding hazing;
 - (c) A general description of the violation, any investigation and findings by the university, and any penalties imposed on the subject of the report; and
 - (d) The date on which the matter was resolved.
- (5) The initial report required by paragraph (J) of this policy shall be posted on the website of the office of community standards and student conduct not later than January 15, 2023 and shall include information concerning hazing violations that have been reported to the university for the five consecutive years prior to October 7, 2021 to the extent that the university retained information concerning the violations.
- (6) After the posting of the initial report referenced above, the university shall update the report on the first day of January and August of each year and shall post the updated report on the website of the office of community standards & student conduct.

- (7) The university shall retain reports for five consecutive years.
- (8) Reports issued under paragraph (J) of this policy shall not include personal identifying information of an individual and shall be subject to the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g.
- (K) Educational program and training requirements.
- (1) Students.
- (a) The university shall provide all students with a mandatory educational program on hazing (educational program), which may be offered online or in person. The educational program shall include information regarding hazing awareness, prevention, intervention, and this anti-hazing policy. Newly admitted students will be provided training at the time of orientation.
- (b) The university shall offer at least one opportunity for students to complete the educational program during new student orientation.
- (c) Each student's attendance at the educational program shall be verified.
- (d) Students are prohibited from participating in an organization recognized by or operating under the sanction of the university until the student attends the educational program. Students who participate in organizations without completing the required educational program will be referred to the office of community standards and student conduct for failure to comply with the anti-hazing policy.
- (2) Staff, alumnus, and volunteers.
- (a) No administrators, employees, faculty members, teachers, consultants, staff, alumni, and volunteers shall recklessly permit hazing or fail to immediately report it to university police and to the law enforcement agency in the county in which the victim of hazing resides or in which the hazing is occurring or has occurred. See paragraphs (G)(2) and (G)(3) of this policy. The university shall encourage these individuals to take the online hazing awareness training provided to students.

- (b) The university shall provide mandatory training on hazing, which shall include information on hazing awareness, hazing prevention, and this anti-hazing policy, to all staff and volunteers that:
 - (i) Advise or coach an organization recognized by or operating under the sanction of the university; and
 - (ii) Have direct contact with students.

- (3) Organizations.
 - (a) Organizations, including university-sponsored programs, recognized by or operating under the sanction of the university shall conduct mandatory training on hazing for any volunteer who has contact with students. The division or department responsible for the organization shall ensure that the training is completed by all volunteers.

 - (b) No organization shall accept or initiate any student who has not attended the mandatory anti-hazing educational program identified in paragraph (K)(1)(a) of this policy.

 - (c) No organization shall permit a volunteer, staff, coach, or faculty to assist if they have not completed the mandatory training.

Effective: 12/20/2021

CERTIFIED ELECTRONICALLY

Certification

12/10/2021

Date

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