

Marywood University

Policies and Procedures

Antihazing Policy

Policy Statement:

Hazing, in any form, is strictly prohibited at Marywood University. Any individual joining University-sanctioned organizations and/or clubs should not tolerate such behavior, which is in direct opposition to the Core Values of Marywood University and the principle of a welcoming and supportive community which is integral to Marywood University's Mission. The policy is applicable to acts deemed to constitute hazing conducted both on- and off-campus. The University supports and will enforce the [Commonwealth of Pennsylvania's Timothy J. Piazza Antihazing Law](#). Criminal sanctions may be imposed pursuant to the Timothy J. Piazza Pennsylvania's Antihazing Law. Consent by a person being hazed is not a defense to a hazing charge. Any individual and/or organization found in violation of this policy will be held accountable.

"Organization. Any of the following:

- (1) A fraternity, sorority, association, corporation, order, society, corps, club or service, social or similar group, whose members are primarily minors, students or alumni of the organization, an institution or secondary school.
- (2) A national or international organization with which a fraternity or sorority or other organization as enumerated under paragraph (1) is affiliated." (18 Pa. Cons. Stat. §2801)

Definition of Hazing

"A person commits the offense of hazing if the person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a minor or student into or with an organization, or for the purpose of continuing or enhancing their membership/status within an organization, causes, coerces or forces a minor or 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 minor or student to a 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.
6. Endure any other activity that creates a reasonable likelihood of bodily injury." (18 Pa. Cons. Stat. §2802a)

In addition to the actions articulated in the law, activities that may cause extreme embarrassment to the minor or student will not be tolerated. These may include menial tasks, physical labor, running while blindfolded, engaging in public stunts or buffoonery, morally degrading or embarrassing games and activities, requiring the wearing of conspicuous apparel, requiring activities of new members that are not required of established members, or any other activities that are inconsistent with policies and/or values of Marywood University.

Under the Pennsylvania law, any form of hazing is considered a summary offense and shall be a misdemeanor of the third degree if the conduct results in, or creates a reasonable likelihood of bodily injury to the minor or student. (18 Pa. Cons. Stat. §2802b) “Aggravated hazing” is considered a felony of the third degree when the hazing results in serious bodily injury or death and (1) the person acts with reckless indifference to the health or safety of the victim or (2) the actor causes, coerces or forces the victim to consume alcohol or drugs. (18 Pa. Cons. Stat. §2803)

An organization that intentionally, knowingly or recklessly promotes or facilitates a violation shall be subject to the following penalties: 1) A fine of not more than \$5,000, for each violation of section 2802. 2) A fine of not more than \$15,000, for each violation of section 2803. In addition to any other sentence imposed, if an organization commits the offense of organizational hazing, the organization shall be subject to such relief as the court deems equitable. (18 Pa. Cons. Stat. §2804)

Organizations and/or individuals may be subject to the conduct process as explained in the [Student Handbook: Policies and Procedures, Conduct Policies and Procedures](#). Concerns regarding hazing may be reported through the online [Public Incident Report Form](#) or by emailing deanofstudents@maryu.marywood.edu.

Sanctions for organizations in which hazing occurs may include fines, suspension or disbanding of the organization, re-directive educational projects, restitution, and probation when the organization intentionally, knowingly or recklessly promotes or facilitates hazing, on- or off-campus. Any penalties imposed shall be in addition to a penalty imposed for violation of an offense under this policy or criminal law or for violations of any other institutional rule or policy to which the respondent may be subject. This policy shall apply to acts conducted on- or off-campus if the acts are deemed to constitute hazing or other offenses under this policy.

Sanctions for individuals who are responsible for hazing policy violations may include fines, withholding of diplomas or transcripts pending compliance with the rules or repayment of fines, re-directive educational projects, restitution, loss of privileges and probation, suspension, dismissal, and/or expulsion when the individual intentionally, knowingly or recklessly promotes or facilitates hazing, on- or off-campus. Any penalties imposed shall be in addition to a penalty imposed for violation of an offense under this policy or criminal law or for violations of any other institutional rule or policy to which the respondent may be subject. This policy shall apply to act conducted on- or off-campus if the acts are deemed to constitute hazing or other offenses under this policy. Sanctions are detailed in the Student Handbook in the “Sanctions” section of the [Student Handbook: Policies and Procedures, Conduct Policies and Procedures](#).

“Safe harbor” criteria will protect individuals from criminal prosecution for involvement in a hazing incident if they make an immediate report of hazing to seek assistance in obtaining medical attention for a victim in order to prevent death or serious bodily injury. This individual must provide their own name and remain with the victim until police or emergency services personnel arrive. Similarly, Marywood University’s ‘Medical Amnesty’ policy assures the community that when a student’s health and safety

are in danger due to intoxication, alcohol poisoning or other drug-related emergencies, students who seek help for themselves or others will not be subject to conduct action for a violation of the University Alcohol and/or Other Drug regulations. In such cases, student(s) will be required to meet with the Dean of Students or designee shortly thereafter to address the issues that caused the risk to the student's well-being.

Process

The Office of Student Engagement, Office of Athletics and Recreation, and Office of Alumni Engagement will distribute to their affiliated organizations, teams and clubs Marywood University's *Antihazing Policy* on an annual basis. Directors within those areas are responsible for ensuring the dissemination and tracking of this information to their constituents. Information regarding method and timing of distribution will be housed within each office.

References

[Commonwealth of Pennsylvania's Timothy J. Piazza Antihazing Law](#) (18 Pa. Cons. Stat. §2801, et. seq; Act 80 of 2018)

[HazingPrevention.Org](#)

[Reported Hazing Incidents](#)

Definitions:

None Listed

Procedures:

None Listed

Related Policies:

None Listed

Related Committees:

None Listed

Policy History:

01/15/19 – The establishment of this new University Policy was approved by the President's Cabinet in order to meet the deadline date for posting online.

12/10/21 – The revision to the Processing Section of this University Policy was approved by the President of the University, as recommended by the Policy Committee of the University at their 12/10/21 meeting.

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**Mary Theresa Gardier Paterson, Esquire
Secretary of the University and General Counsel**