

# COLLEGE of CHARLESTON

## OFFICIAL POLICY

12.3.5.1.8

Hazing

08/16/16

### Policy Statement

The College of Charleston is dedicated to providing experiences, processes and resources which support the advancement of principled decision making, responsible citizenship and adherence to the Student Code of Conduct. In addition, the Division of Student Affairs is committed to promoting an environment which supports the health and safety, dignity and rights, and respect of all community members. As such, the College of Charleston does not tolerate hazing activities by any members of the community.

This policy applies to all members of the College community.

#### I. Definitions

##### A. Hazing

- harassment, ridicule, intimidation,
  - physical exhaustion, abuse, or mental distress,
  - the destruction or removal of public or private property,
  - and/or unreasonably interferes with scholastic or employment activities,
1. Hazing may occur regardless of the participant's willingness to engage in the activity.
  2. This policy applies to conduct that occurs both on and off campus, if the activity is sponsored, conducted, authorized, or recognized by the College, a registered student organization, or a group as defined below in Section C.
  3. Actions and situations that may constitute hazing include, but are not limited to, the following:
    - Required consumption of food, alcohol, or drugs;
    - Physical Abuse (i.e. forced physical exercises/runs/drills/calisthenics, paddling, pushing and tackling) and/or Psychological shocks;
    - Sleep or food deprivation or creation of any unnecessary fatigue;
    - Unreasonable exposure to the weather;
    - Personal servitude;
    - Coercion or extortion;
    - Verbal Abuse;
    - Line-ups and berating;
    - Morally degrading or humiliating games and activities;
    - Quests, treasure hunts, scavenger hunts, road trips or any other such activities where participation of only certain members is required;
    - Kidnapping or abandonment;

- Engaging in public stunts and buffoonery
- Wearing of public apparel which is conspicuous and/or not normally in good taste
- Expectation of participation in activities that are illegal, lewd, or in violation of College policy;
- Undue interference with academic pursuits;
- Any activity not consistent with the policies of the organization's governing bodies

B. "Members of the College community" means its faculty, staff, students, volunteers, organizations, groups, vendors, patients, customers, alumni, and visitors.

C. "Organization" and "Group" are defined as follows:

1. "Organization" means a number of persons who are associated with each other and has registered with the College as a student organization.
2. "Group" means a number of persons who are associated with the College and each other, but who have not registered, or are not required to register, as a student organization (e.g. athletic teams, musical or theatrical ensembles, academic or administrative units, clubs).

D. "College Official" means any person (faculty or staff) who is employed by the College, and who performs assigned administrative or professional responsibilities. For the purposes of this policy, the "appropriate" official is defined as follows:

1. Students – Dean of Students or designee;

E. For other Members of the College Community (faculty, staff, volunteers, organizations, groups, vendors, patients, customers, alumni, and visitors) the appropriate official is any of the above College Officials or the College of Charleston Department of Public Safety.

## II. Policy

A. Hazing in any form is prohibited.

B. It is not a defense to a charge of hazing that:

1. The express or implied consent of the individual was obtained;
2. The conduct or activity was not part of an official organizational or group event or was not otherwise sanctioned or approved by the organization or group; or
3. The conduct or activity was not a condition of membership or affiliation with the organization or group.

C. Any student, faculty, staff, or volunteer Member of the College Community, with knowledge or suspicion of hazing is expected to report the activity to appropriate College Officials or the Department of Public Safety.

1. Other Members of the College Community with knowledge or suspicion of hazing are strongly encouraged to report the activity to the appropriate College Officials or the Department of Public Safety.

D. Retaliating in any manner against any individual who reports hazing or who participate in an investigation of a hazing report is prohibited.

- E. Making an intentionally false accusation of hazing is prohibited.
- F. All members of the College Community shall cooperate in an investigation of hazing.
- G. Responsibility for any violations of this regulation may be attributed to the perpetrators, the organization or group, and/or its members or its officers.
- H. Any organization or group may be found responsible for any violations of this regulation upon satisfactory proof (“preponderance of the evidence”) that the organization or group did not discourage or did not take reasonable steps to prevent hazing by its members or affiliates.
- I. In addition to this policy, NCAA student athletes shall follow the policies and guidelines set forth by the NCAA, Colonial Athletic Association, and College of Charleston Athletics Compliance office.

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**Policy Manager and Responsible Department or Office**

Policy Manager: Executive Vice President of Student Affairs

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**Purpose/Reason for the Policy**

The purpose of this regulation is to establish the College’s hazing prevention policy for the protection of our students.

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**Departments/Offices Affected by the Policy**

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**Procedures Related to the Policy**

I. Reporting

- A. Complaints or reports of activities believed to be hazing should be reported immediately to the appropriate College official or to the Department of Public Safety at (843) 953-5611 (Emergency line) or (843) 953-5609 (non-Emergency Line). Online reporting can also be

found at

[https://publicdocs.maxient.com/reportingform.php?CollegeofCharleston&layout\\_id=100](https://publicdocs.maxient.com/reportingform.php?CollegeofCharleston&layout_id=100)

- B. Any questions concerning the interpretation of this policy or application should be referred to the appropriate College official (see section IV. D).

## II. Rights of those who report

- A. Individuals who have experienced hazing and who truthfully report shall not be individually charged with a violation of this regulation.
- B. Individuals who have knowledge of hazing activities, but who did not participate, and truthfully report the organization, team, or group, shall not be individually charged in relation to that particular incident.
- C. Any organization, team, or group that seeks assistance in hazing education/prevention and positive new member activities in efforts to prevent hazing from occurring within, even if past behaviors have included hazing, shall not be charged with a past violation of this regulation.
- D. Any organization or group that self-reports a hazing behavior to an appropriate College Official or the Department of Public Safety shall be given the opportunity to change those behaviors without immediate threat of being charged with a violation of this regulation. An organization or group that self-reports shall identify those individuals responsible for the hazing behaviors. If evidence is presented in subsequent semesters that hazing behaviors have continued within the organization, that organization may be held responsible for past behaviors.

## III. Additional requirements for Registered Student Organizations

- A. All elected or appointed student organization presidents or designee shall educate their respective organization members on an annual basis regarding the applicable College policies concerning hazing, including definitions, scope, reporting procedures, process, and potential outcomes.

## IV. Investigation, Adjudication, and Corrective Action

- A. All members of the College Community shall cooperate in an investigation of hazing.
- B. Investigations of hazing allegations shall be conducted by appropriate College officials or designee(s) (see section IV. D).
- C. Adjudication of cases involving named individuals who have participated in hazing activities shall fall under the purview of the Office of the Dean of Students (if violation is egregious enough, or if suspension is possible, adjudication may be sent straight to an Honor Board hearing; Adjudication of organizational hazing activities shall fall under the purview of the respective judicial process, or if recommended, the Office of the Dean of Students.
- D. Corrective Action/Accountability Measures
  1. Violation of this regulation (by individuals or organizations) may result in accountability measures under the Student Code of Conduct. Visitors refusing to comply may be reported to the Department of Public Safety.
  2. Possible sanctions for individual students resulting from a College disciplinary process range from a warning to disciplinary expulsion. Possible sanctions for

organizations or groups include suspension or restriction from College property/facilities, or, revocation of Registered Student Organization status, if applicable. Possible sanctions for faculty and staff range from an oral warning to termination of employment.

3. Violations of this policy are subject to referral to appropriate law enforcement or College services, as well as to regional and national affiliated offices, for action or prosecution.

V. Partnerships

- A. Individuals or organizations who are interested in proactively addressing and preventing hazing activities may request trainings, presentations, or program evaluations from the Office of the Dean of Students, Office of Fraternity and Sorority Life, Campus Recreation Services, Office of Student Life, or the Athletics Compliance Office.

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**Related Policies, Documents or Forms**

**S.C. Code Ann. § 16-3-510 (1976)**

Hazing

**SECTION 16-3-510.** Hazing unlawful; definitions.

It is unlawful for a person to intentionally or recklessly engage in acts which have a foreseeable potential for causing physical harm to a person for the purpose of initiation or admission into or affiliation with a chartered or nonchartered student, fraternal, or sororal organization. Fraternity, sorority, or other organization for purposes of this section means those chartered and nonchartered fraternities, sororities, or other organizations operating in connection with a school, college, or university. This section does not include customary athletic events or similar contests or competitions, or military training whether state, federal, or educational.

HISTORY: 1987 Act No. 73 Section 1; 2002 Act No. 310, Section 4, eff June 5, 2002.

**SECTION 16-3-520.** Unlawful to assist in or fail to report hazing.

It is unlawful for any person to knowingly permit or assist any person in committing acts made unlawful by Section 16-3-510 or to fail to report promptly any information within his knowledge of acts made unlawful by Section 16-3-510 to the chief executive officer of the appropriate school, college, or university.

HISTORY: 1987 Act No. 73 Section 2.

**SECTION 16-3-530.** Penalties.

Any person who violates the provisions of Sections 16-3-510 or 16-3-520 is guilty of a misdemeanor and, upon conviction, must be punished by a fine not to exceed five hundred dollars or by imprisonment for a term not to exceed twelve months, or both.

HISTORY: 1987 Act No. 73 Section 3.

**SECTION 16-3-540.** Consent not a defense.

The implied or express consent of a person to acts which violate Section 16-3-510 does not constitute a defense to violations of Sections 16-3-510 or 16-3-520.

HISTORY: 1987 Act No. 73 Section 4.

Issue Date:8/16/16

Date of Policy Revision:8/16/16

Next Review Date:10/16/2020

**POLICY APPROVAL**

**(For use by the Office of the Board of Trustees or the Office of the President)**

Policy Number: 12.3.5.1.8

President or

Chairman, Board of Trustees



Date: 8/16/16