

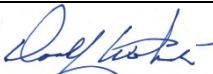


UNIVERSITY OF MARYLAND

UNIVERSITY SENATE

1100 Marie Mount Hall
College Park, Maryland 20742-4111
Tel: (301) 405-5805 Fax: (301) 405-5749
<http://www.senate.umd.edu>

SENATE LEGISLATION APPROVAL

Date:	February 12, 2015
To:	Wallace D. Loh
From:	Donald Webster Chair, University Senate 
Subject:	Hazing Policy Revision
Senate Document #:	13-14-31

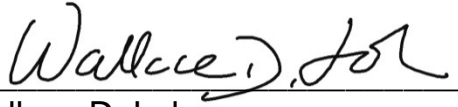
I am pleased to forward for your consideration the attached legislation entitled, "Hazing Policy Revision." Kasey Moyes, Chair of the Student Conduct Committee (SCC), presented the proposal. The University Senate approved the proposal at its February 11, 2015 meeting.

We request that you inform the Senate Office of your decision as well as any subsequent action related to your conclusion.

Enclosure: Hazing Policy Revision
Senate Document # 13-14-31

DW/rm

- Cc: Mary Ann Rankin, Senior Vice President for Academic Affairs & Provost
Reka Montfort, Executive Secretary and Director, University Senate
Juan Uriagereka, Associate Provost for Faculty Affairs
Michael Poterala, Vice President for Legal Affairs and General Counsel
Janet Turnbull, Office of Legal Affairs
Elizabeth Beise, Associate Provost for Academic Planning & Programs
Sylvia B. Andrews, Academic Affairs
Linda Clement, Vice President for Student Affairs
Andrea Goodwin, Director, Office of Student Conduct

Approved: 
Wallace D. Loh
President

Date: 02-20-2015



University Senate TRANSMITTAL FORM

Senate Document #:	13-14-31
PCC ID #:	N/A
Title:	Hazing Policy Revision
Presenter:	Kasey Moyes, Chair, Senate Student Conduct Committee (SCC)
Date of SEC Review:	January 21, 2015
Date of Senate Review:	February 11, 2015
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report 4. For information only
Statement of Issue:	In spring 2014, a proposal was submitted to the Senate Executive Committee (SEC) to revise and codify the University's current procedures regarding hazing. The Director of Student Conduct submitted this proposal with the goals of better educating the campus community, increasing the University's ability to hold individuals and groups responsible for hazing, and reducing hazing at the University of Maryland, College Park. The SEC charged the Senate Student Conduct Committee (SCC) with this review.
Relevant Policy # & URL:	N/A
Recommendation:	In spring 2015, the SCC voted unanimously in favor of recommending the creation and implementation of a proposed University of Maryland, College Park Policy and Procedures on Hazing (included as part of the SCC's following report). The SCC recommends that this new policy be added to the official list of Consolidated USM and UMD Policies and Procedures. The SCC also recommends that all entities providing information on hazing to students (e.g., Campus Recreation Services, Division of Student Affairs, Office of Student Conduct, Department of Fraternity & Sorority Life, and Department of Intercollegiate Athletics) update their materials and websites, etc., to reflect the newly codified policy and procedures, if approved by the Senate and President.

Committee Work:	The SCC began its review of this complex topic in fall 2014. Over the course of several months, the SCC went through the policy language suggested by the Hazing Prevention Steering Committee in detail, discussing and making a number of revisions. The SCC consulted with students and deliberated the review and adjudication process for alleged acts of hazing at the University. The SCC fulfilled the requirements of its charge, including consultation with the Office of Student Conduct (OSC) and research of similar policies at peer institutions within the Big Ten. In January 2015, the SCC finalized the proposed University of Maryland, College Park Policy and Procedures on Hazing, which it recommends be implemented as official campus policy.
Alternatives:	To not accept the recommendation of the Student Conduct Committee (SCC) for the creation of official Policy and Procedures on Hazing for the University of Maryland, College Park.
Risks:	There are no associated risks.
Financial Implications:	There are no financial implications.
Further Approvals Required:	Senate approval, Presidential approval.

Senate Student Conduct Committee (SCC)

Senate Document # 13-14-31

Hazing Policy Revision

January 2015

BACKGROUND

In March 2014, a proposal was submitted to the Senate Executive Committee (SEC) to revise and codify the University's current procedures regarding hazing (Appendix A). The Director of Student Conduct submitted this proposal with the goals of better educating the campus community, increasing the University's ability to hold individuals and groups responsible for hazing, and reducing hazing at the University of Maryland, College Park.

The proposal was based largely on the work of the Hazing Prevention Steering Committee, which was created following a 2012 Hazing Summit hosted by the Office of the Vice President for Student Affairs. The purpose of the Hazing Prevention Steering Committee is to provide leadership to the University community on hazing prevention efforts within student clubs and organizations. At the 2012 Hazing Summit, faculty, staff, and students from across campus convened to discuss the serious problem of hazing. According to the proposal, the purpose of the summit was to:

- 1) Conduct an analysis of hazing at the University;
- 2) Review current hazing policies;
- 3) Review existing hazing prevention efforts;
- 4) Identify short and long term goals; and
- 5) Develop a system to monitor and evaluate progress

Following the summit, the Steering Committee created three subgroups; one subgroup was specifically tasked with reviewing current University policies and procedures on hazing. The Division of Student Affairs has a hazing policy that has been in place for several years, which is enforced by the Office of Student Conduct (OSC) and was included with the proposal to the SEC. However, the policy is not part of the President's official list of [Consolidated USM and UMD Policies and Procedures](#).

The Steering Committee's policy subgroup – consisting of staff, faculty, and students – met over a period of time to consider whether the Division of Student Affairs' policy should be revised and codified. The subgroup determined that some of the language in the policy should be amended, and that the policy should go on to be further reviewed by the University Senate. An edited, recommended policy and set of procedures was also submitted to the SEC as part of the proposal in March 2014.

At the end of the spring 2014 semester, the SEC charged the Senate Student Conduct Committee (SCC) with reviewing the proposal and considering whether the recommended policy and procedures are appropriate for the University (Appendix B). As part of the charge, the SEC asked the SCC to research similar hazing policies at peer institutions, and to consult with the Director of Student Conduct and the Office of Legal Affairs on this complex topic.

Since the current policy on hazing is not official University policy within the Consolidated USM and UMD Policies and Procedures manual, the SEC also asked the SCC to make a recommendation as to whether official University of Maryland Policy and Procedures on Hazing should be developed and implemented.

COMMITTEE WORK

The SCC began its review in fall 2014. Over the course of several months, the committee went through the suggested language of the policy and procedures in detail, discussing and making a number of revisions as it deemed necessary. It met with students, shared drafts of its edited policy with the Office of Legal Affairs, and deliberated the review and adjudication process for alleged acts of hazing at the University of Maryland, College Park. The SCC fulfilled the requirements of its charge, as follows:

Peer Institution Research

During the fall 2014 semester, the SCC reviewed policies and procedures related to hazing at peer institutions. The committee examined material from all Big Ten institutions (Appendix C). The committee looked at how hazing is defined by other universities, and it assessed whether any of the universities in the Big Ten have a “zero tolerance” policy, such as the University of Wisconsin, Madison.

The committee researched how consent and willful involvement are expressed in peer hazing policies. For instance, the University of Michigan explains that hazing includes “willful acts, with or without the consent of the individuals involved” (e.g., degradation, kidnapping, or forced consumption of any liquid), and Purdue University describes hazing as “forcing or requiring another person, regardless of that person's consent, to perform an act that creates a substantial risk of physical harm; substantially or seriously demeans or degrades any person; or interferes with any person's scholastic activities.”

The committee compared the recommended policy language for the University of Maryland, College Park to that of peer institutions and found that the recommended policy and procedures are aligned with similar hazing policies at institutions nationwide.

Administrative Consultation

❖ Department of Fraternity and Sorority Life

While working on this charge, the committee learned more about the work of the University of Maryland Department of Fraternity and Sorority Life. The committee found that the department is devoted to building relationships with student leaders in the Greek community and empowering Greek organizations to monitor their conduct. The department provides education for members of fraternities and sororities on identifying and recognizing signs of hazing. The department also dedicates extensive effort to raising general awareness about illegal acts of hazing, and it informs students of how to report such incidents. In addition, the department hosts a 24-hour emergency/reporting hotline for victims and witnesses of hazing.

On its website, the Department of Fraternity and Sorority Life also explains that some organizations that were once recognized fraternities or sororities on campus continue to operate underground, despite having lost recognition from the University. Such organizations have had their recognition revoked by the institution for various reasons (e.g., hazing) and have in almost all cases also had their charter suspended by their international organization, because they were not upholding fraternal values and were engaging in risky behaviors that endangered the members and other students. The Department of Fraternity and Sorority Life has a list of such groups that have lost recognition in the past five years available on its website at <http://greek.umd.edu/councils-and-groups/current-chapters/statement-on-unrecognized-groups/>

According to the Department of Fraternity and Sorority Life, approximately 12% of the undergraduate population at the University of Maryland belongs to a fraternity and sorority. Although hazing cases are largely associated with Greek culture, hazing can and does occur across campus in various student groups and in both recognized and unrecognized organizations.

❖ Office of Student Conduct (OSC)

As instructed by its charge, the committee consulted with the Director of Student Conduct, who is also a non-voting member of the SCC, about the hazing review process. Reports of alleged hazing at the University of Maryland are sent to the OSC for investigation and adjudication. The OSC maintains that all members of the campus community are strongly encouraged to report apparent acts of hazing. All members of the University community share the responsibility to challenge hazing. With the expanded jurisdiction of the *Code of Student Conduct*, the University can investigate incidents of hazing that occur on- or off-campus.

During the committee's review process, the Director of Student Conduct made it clear to the committee that individuals who participate in acts of hazing as perpetrators or participants should be held personally accountable under the recommended policy and the *Code of Student Conduct*. This includes, for instance, individuals who attempt to obstruct investigations by lying to investigators or by protecting those who haze. The committee agreed that while hazing may be initiated through the acts of a few perpetrators, its longevity stems from the continued tolerance of that behavior by the larger community, often through willing participants who incorrectly view hazing as a rite of passage, or part of a particular group's 'traditions.' Thus, the SCC asserts that apathy in the presence of hazing or acquiescence to hazing are not the behaviors of a responsible campus citizen.

In addition, because student perceptions of hazing incidents vary greatly, the Director of Student Conduct also advised the committee against providing examples of hazing or lists of acts in the official policy. However, the presentation of examples of hazing and/or anecdotal material may be more appropriately utilized in an educational campaign for hazing prevention, which the OSC actively supports as part of this overall effort to eliminate hazing in the campus community.

Criminal Law

According to Annotated Code of Maryland ([Md. Criminal Law Code Ann. 3-607](#)), the act of hazing is prohibited by Maryland Criminal Law. The Code states, "A person may not recklessly or intentionally do an act or create a situation that subjects a student to the risk of serious bodily injury for the purpose of an initiation into a student organization of a school, college, or university." The violation of hazing constitutes a misdemeanor crime. According to the Code, any person "who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 6 months or a fine not exceeding \$500 or both." The implied or expressed consent of a student to hazing may not be used as a defense.

The recommended policy and procedures for the University are consistent with Maryland law.

Overall Findings

On the whole, the committee found that the University makes a considerable effort regarding hazing prevention, rather than focusing solely on punishment and sanctioning for such acts, as the University's goal is to keep hazing from occurring in the first place. To echo the sentiments of the Department of Fraternity and Sorority Life, the committee affirms that there are many ways to build unity, bond together, and teach respect – the use of hazing to achieve these kinds of outcomes is never justified. Hazing must continue to be an issue on which the University focuses its attention, with continual input from various entities on campus, including the Interfraternity Council (IFC) and the Department of Fraternity & Sorority Life. The committee also asserts that hazing itself will likely only cease to exist once students from all over band together to develop ways to educate each other on the detriments of hazing and declare that hazing is never an acceptable practice on college campuses.

RECOMMENDATION

After much deliberation, in January 2015, the Student Conduct Committee voted unanimously in favor of recommending the creation and implementation of the proposed ‘University of Maryland, College Park Policy and Procedures on Hazing,’ which immediately follows this report.

The Student Conduct Committee asks that this new policy be added to the official list of Consolidated USM and UMD Policies and Procedures.

The committee also recommends that all entities providing information on hazing to students (e.g., Campus Recreation Services, Division of Student Affairs, Office of Student Conduct, Department of Fraternity & Sorority Life, Department of Intercollegiate Athletics) update their materials and websites, etc., to reflect the newly codified policy and procedures, if approved by the Senate and President.

APPENDICES

Appendix A – Proposal from the Office of Student Conduct (OSC), March 27, 2014

Appendix B – Charge from the Senate Executive Committee (SEC), April 14, 2014

Appendix C – Table of Peer Research (Hazing Policies and Procedures amongst Big Ten Institutions)

UNIVERSITY OF MARYLAND, COLLEGE PARK POLICY AND PROCEDURES ON HAZING

I. Policy

Hazing is a fundamental violation of human dignity. It is strictly prohibited at the University of Maryland, College Park. The following conduct is defined as hazing when engaged in, whether on or off University premises, for the purpose of admission, initiation, or continued association with a group or organization:

Recklessly or intentionally:

- 1) engaging in or enabling an act or situation that subjects another person to the risk of
 - a) physical harm
 - b) emotional distress, humiliation, degradation;
 - c) harm from unreasonable requirements which interfere with a student's ability to function as a student, including financial requirements outside of membership dues;
 - d) diminished physical or mental capacity,¹ or
- 2) causing or encouraging another person to violate any law or University regulation.

The implied or express consent of another person is not a defense under this section.²

A. Penalties for Hazing

Aggravated violations of this policy, as defined in Part 2(a)³ of the *Code of Student Conduct*, normally result in suspension or expulsion of the responsible student from the University. Sanctions for a student group or organization found responsible for violating the policy, even for a first offense, may include revocation or denial of recognition or registration, as well as other appropriate sanctions, pursuant to Part 11(f)⁴ of the *Code of Student Conduct*. Individuals who participate in acts of hazing are personally accountable under this policy and the *Code of Student Conduct*, regardless of the outcome of any related case brought against a student group or organization.

B. Responsibilities to Challenge and Report Hazing

All members of the University community share the responsibility to challenge hazing and report acts of apparent hazing to the Office of Student Conduct. Apathy in the presence of, and acquiescence to, hazing are not neutral acts. Individuals who voluntarily participate in acts of hazing as perpetrators or recipients and/or victims will be held personally accountable under this policy and the *Code of Student Conduct*.

In cases of alleged acts of hazing, the University normally does not pursue disciplinary action against those who have been hazed unless evidence exists that the recipient and/or victim was a willing participant or has provided false information to a University official. Other charges may apply depending on the unique circumstances of the case.

¹ Diminished mental or physical capacity within this section means reduced ability to perform mental or physical tasks due to drugs, alcohol, or physical or mental trauma.

² This policy shall not be interpreted to apply to speech that is protected under the First Amendment to the United States Constitution.

³ The term "aggravated violation" means a violation which resulted or foreseeably could have resulted in significant damage to persons or property or which otherwise posed a substantial threat to the stability and continuance of normal University or University-sponsored activities.

⁴ Part 11(f) provides in part: "OTHER SANCTIONS: other sanctions may be imposed instead of or in addition to those specified in sections (a) through (e) of this part."

C. Contacts

Office of Student Conduct	(301) 314-8204	http://osc.umd.edu/
Department of Public Safety	(301) 405-3333 or 911	http://www.umpd.umd.edu/
University Counseling Center	(301) 314-7651	http://www.counseling.umd.edu/
University Health Center	(301) 314-8106	http://www.health.umd.edu/

II. Procedures

The health and safety of all members of the campus community are the University's primary concern. Hazing is considered a fundamental violation of human dignity. If you believe hazing has occurred or is ongoing, you are strongly encouraged to seek assistance from one or more of the following resources 24 hours a day, seven days a week:

- University Police (Department of Public Safety, Service Building)
Emergency: (301) 405-3333 / Mobile Phone: #3333
Non-Emergency: (301) 405-3555
- Local Police in ANY location – Emergency: 911
- Report the incident (Monday - Friday between the hours of 8:00 a.m. - 5:00 p.m.) to the Office of Student Conduct at (301) 314-8204 or via this online form:
<http://www.osc.umd.edu/OSC/NonAcademicIncidentReferralForm.aspx>

A. Anonymous/Confidential Resources

The following campus entities will keep information about alleged hazing as private and confidential as allowed by applicable law (contact information for normal business hours):

- i. University Counseling Center (Shoemaker Building) / Telephone: (301) 314-7651
The Counseling Center provides comprehensive psychological and counseling services to meet the mental health and developmental needs of students and others in the University community. Staffed by counseling and clinical psychologists, the Counseling Center offers a variety of services to help students, faculty, staff, and other members of the community deal with issues concerning them.
- ii. University Mental Health Service (Health Center) / Telephone: (301) 314-8106
The Mental Health Service is staffed by psychiatrists and licensed clinical social workers and offers confidential services including short-term psychotherapy, medication evaluations, crisis intervention, and group psychotherapy.

Reporting to either of the foregoing campus entities does not constitute a formal report to the University and no additional action will be taken unless there is an imminent threat to health or safety or other basis for disclosure as required by law.

B. Reporting

The University encourages all alleged acts of hazing to be reported promptly to University officials and/or law enforcement agencies. The criminal process and the University disciplinary process are separate and independent. Reporting to the University does not preclude a victim from filing a report with the police.

The University does not normally wait for the conclusion of criminal investigations or proceedings to conduct its own investigation and may take interim measures to protect the complainant and University community.

Notice to the campus entities listed below is formal notice to the University. Victims have the right to, and can, expect that all reports of hazing will be taken seriously and investigated when formally reported.

- i. University Police (Department of Public Safety, Service Building)
Emergency (301) 405-3333 / Mobile Phone #3333
Non-Emergency (301) 405-3555

The University's Department of Public Safety is a full-service police agency serving the students, faculty, staff, and visitors within its jurisdiction. The safety and well-being of hazing victims is a primary concern of the University. Student, faculty, staff, parents, and/or others are encouraged to report any hazing allegations to the University Police as soon as is reasonably possible. Upon receipt of a report, University Police will normally conduct a criminal investigation. University Police officials can also assist hazing victims in notifying other law enforcement authorities, as appropriate.

- ii. Office of Student Conduct (Mitchell Building) / Telephone: (301) 314-8204

All reports of hazing will be reviewed in accordance with the procedures outlined in this policy. Any person may file a complaint of hazing against a University student, defined as a person who is taking or auditing courses at the University either on a full- or part-time basis. Alumni are not precluded from being charged if the victim is a student and the incident occurred while the alumnus was enrolled as a student.

There is no time limit to filing a formal complaint with the Office of Student Conduct; however, persons are encouraged to promptly report alleged acts of hazing in order to maximize the University's ability to investigate and respond. The University strives to resolve all complaints within 60 calendar days of receiving a formal complaint. The resolution time may vary depending on the complexity of the investigation and severity and extent of the alleged misconduct.

C. University Disciplinary Procedures

The Office of Student Conduct is responsible for adjudicating alleged violations of this policy. If the accused is a student, a group of students, or a student organization, any person may file a complaint with the Office of Student Conduct.

University student disciplinary procedures and procedural rights are set forth in the *Code of Student Conduct* and published in the Undergraduate and Graduate Catalogs. Both complainants and respondents are granted a number of important rights, including the right to pose questions to the other party, the right to be advised by their own attorney or advisor, the right to present their side of the case, the right to question witnesses, the right to be informed of the outcome of the case, and the ability to appeal decisions made by hearing boards. The burden of proof is on the complainant, who must establish the responsibility of the respondent by clear and convincing evidence.

Students found responsible for acts of hazing may be suspended or expelled from the University, and organizational sanctions may include revocation or denial of recognition or registration as provided by the

Code of Student Conduct. Students who violate federal, state, and/or local laws may also be subject to criminal charges.

D. Retaliation

Retaliation against any person filing a complaint or cooperating in the investigation of such complaint is strictly prohibited. Retaliation includes, but is not limited to, direct or indirect intimidation, threats, and/or harassment involving any party in the investigation. Students found responsible for retaliation will be subject to disciplinary action under the *Code of Student Conduct*. Retaliatory conduct may also constitute a criminal offense.

E. Interim Measures

All formal reports (as set forth in Section B, above) of alleged hazing, regardless of whether the complainant chooses to pursue resolution through the University disciplinary process, will be investigated, and steps will be taken to provide support to the complainant. This support may include taking appropriate interim action prior to completion of the investigation and conclusion of the student disciplinary process.

Interim measures may include a “no contact” directive serving as notice to the organization or its members that they must not have verbal, electronic, written, or third party communication with one another or with the student(s) seeking membership. Interim measures may also include modification of students’ academic schedules, University housing and/or University employment arrangements, and an order to cease and desist all activities of the organization being investigated. Failure to comply with interim measures may result in an individual(s), a student group(s), or an organization(s) being charged with additional disciplinary violations.

IV. Educational Programs and Prevention

- Hazing Prevention Steering Committee
For more information contact the Office of the Vice President for Student Affairs at (301) 314-8428
- Department of Fraternity and Sorority Life (DFSL)
For more information contact DFSL at (301) 314-7172
- Emergency Phones
University Police Emergency Response Telephones (PERT), recognized by a blue light affixed to each station, are available throughout the campus. By activating the phone, an individual will be automatically connected to a Police Dispatcher, who is immediately alerted to the location of the phone

V. Additional Resources and Applicable Policies

- The Student Legal Aid Office, located in South Campus Dining Hall, provides free, confidential legal advice to any University student. Undergraduates may contact (301) 314-7756 or <http://studentorg.umd.edu/legalaid>. Graduate students may contact (301) 405-5807 or <http://gsg.umd.edu/resources/graduate-legal-aid>
- The University of Maryland *Code of Student Conduct* is available online at <http://president.umd.edu/policies/v100b.html>



**University Senate
PROPOSAL FORM**

Name:	Andrea Goodwin
Date:	March 27, 2014
Title of Proposal:	Hazing Policy Revision
Phone Number:	301-314-8204
Email Address:	agoodwin@umd.edu
Campus Address:	2118 Mitchell Building
Unit/Department/College:	Office of Student Conduct, Division of Student Affairs
Constituency (faculty, staff, undergraduate, graduate):	Staff
Description of issue/concern/policy in question:	<p>In Fall 2012, The Office of the Vice President for Student Affairs hosted a Hazing Summit. Faculty, staff and students from across the University convened to discuss the serious problem of Hazing. The purpose of the summit was to:</p> <ul style="list-style-type: none"> A. Conduct analysis of hazing at the University; B. Review current hazing policies; C. Review existing hazing prevention efforts; D. Identify short and long term goals; and, develop a system to E. Monitor and evaluate progress. <p>Following the summit a steering committee was formed to help reduce and eliminate acts of hazing on our campus. Three subgroups were formed, one specifically to review the University's current policy.</p> <p>The University currently has a Hazing Policy that has been in place for several years. The policy belongs to the Division of Student Affairs and is enforced by the Office of Student Conduct.</p> <p>The subgroup, consisting of staff, faculty and students met to consider whether the policy should be revised. The committee determined that the language in the current policy should be amended and that the policy should be reviewed and approved by the University Senate.</p>

Description of action/changes you would like to see implemented and why:	I would like to see the Hazing Policy revised and approved by the University Senate in an effort to better educate the campus community, increase the University's ability to hold individuals and groups responsible for hazing, and help to reduce Hazing at the University.
Suggestions for how your proposal could be put into practice:	
Additional Information:	Please see the attached draft of the policy as well as the current University hazing policy.

Please send your completed form and any supporting documents to senate-admin@umd.edu or University of Maryland Senate Office, 1100 Marie Mount Hall, College Park, MD 20742-7541. Thank you!



Office of Student Conduct
Promoting Integrity, Character, & Ethics

HAZING POLICY

Hazing Is Strictly Prohibited

Hazing is a fundamental violation of human dignity. It is strictly prohibited at the University of Maryland, College Park. The University defines hazing as intentionally or recklessly subjecting any person to the risk of bodily harm, or severe emotional distress, or causing or encouraging any person to commit an act that would be a violation of law or university regulations, for the purpose of initiating, promoting, fostering, or confirming any form of affiliation with a student group or organization, as defined by the *Code of Student Conduct*. The express or implied consent of the victim will not be a defense.

Examples Of Hazing

Examples of hazing include, but are not limited to: forced consumption of alcohol or other substances; sleep deprivation; use of alcohol in drinking games or contests; paddling; forced tattooing or branding; creation of excessive fatigue; severe psychological shocks or humiliation (as defined by a reasonable person under all the circumstances); compulsory servitude; theft or misuse of property belonging to others.

Penalties For Hazing

Aggravated violations of this policy, as defined in Part 2 (a) of the *Code of Student Conduct*, normally result in suspension or expulsion from the University, or revocation of registration for a student group or denial of recognition or registration for a student group or organization, even for a first offense. Individuals who participate in acts of hazing are personally accountable under this policy, and the *Code of Student Conduct*, regardless of the outcome of any related case brought against a student group or organization.

Responsibilities To Challenge And Report Hazing

All members of the university community share the responsibility to challenge and make known to the Office of Student Conduct acts of apparent hazing.

Apathy in the presence of hazing, or acquiescence to hazing, are not neutral acts. Individuals who participate in acts of hazing as perpetrators or victims are personally accountable under this policy, and the *Code of Student Conduct*.

UNIVERSITY OF MARYLAND PROPOSED POLICY ON HAZING

Hazing is a fundamental violation of human dignity. It is strictly prohibited at the University of Maryland - College Park. The following conduct is defined as hazing when engaged in for the purpose of admission, initiation, or continued association with a group or organization:

Recklessly or intentionally...

- 1) engaging in or enabling an act or situation that subjects another person to the risk of:
 - a) bodily injury;
 - b) emotional distress, humiliation, degradation;
 - c) harm from unreasonable requirements which interfere with a student's ability to function as a student, including financial requirements outside of membership dues;
 - d) diminished physical or mental capacity*, or
- 2) causing or encouraging another person to violate any law or University regulation.

The implied or express consent of another person is not a defense under this section.**

Penalties for Hazing

Aggravated violations of this policy, as defined in Part 2 (a) of the *Code of Student Conduct*, normally result in suspension or expulsion of the responsible student from the University. Sanctions for a student group or organization found responsible for violating the policy, even for a first offense, may include revocation or denial of recognition or registration, as well as other appropriate sanctions, pursuant to Part 10 (f) of the *Code*. Individuals who participate in acts of hazing are personally accountable under this policy and the *Code of Student Conduct*, regardless of the outcome of any related case brought against a student group or organization.

Responsibilities to Challenge and Report Hazing

All members of the university community share the responsibility to challenge hazing and report acts of apparent hazing to the Office of Student Conduct. Apathy in the presence of, and acquiescence to, hazing are not neutral acts. Individuals who voluntarily participate in acts of hazing as perpetrators or victims will be held personally accountable under this policy and the *Code of Student Conduct*.

Contacts

Office of Student Conduct	(301) 314-8204
Department of Public Safety	(301) 405-3333 or 911
Counseling Center	(301) 314-7651

*Diminished mental or physical capacity within this section means reduced ability to perform mental or physical tasks due to drugs, alcohol, or physical or mental trauma.

** This policy shall not be interpreted to apply to speech that is protected under the First Amendment to the U.S. Constitution.

UNIVERSITY OF MARYLAND PROPOSED POLICY AND PROCEDURES ON HAZING

March 2014

II. Hazing Reporting Procedures

The health and safety of all members of the campus community are the University's primary concern. Hazing is considered a fundamental violation of human dignity. If you believe hazing has occurred or is ongoing, you are strongly encouraged to seek assistance from one or more of the following resources 24 hours a day, seven days a week:

- University Police (Department of Public Safety) - Emergency: (301) 405-3333 / Mobile Phone: #3333 / Non-Emergency: (301) 405-3555
- Local Police in ANY location – Emergency: 911
- Report the incident (Monday - Friday between the hours of 8:00am and 5:00pm) to the Office of Student Conduct at (301) 314-8204 or via this online form <http://www.osc.umd.edu/OSC/NonAcademicIncidentReferralForm.aspx>.

A. Anonymous/Confidential Reporting

The following campus agencies will keep information as private and confidential as allowed by law (contact information for normal business hours):

- i. Counseling Center (Shoemaker Building) / Telephone: (301) 314-7651
- ii. Mental Health Service (Health Center) / Telephone: (301) 314-8106

B. Formal Reporting

Notice to the campus agencies listed below is official notice to the University. Victims have the right to, and can, expect that all reports of hazing will be taken seriously and investigated when formally reported.

- i. University Police (Department of Public Safety, Service Building)
Emergency (301) 405-3333 | Mobile Phone #3333 Non-Emergency (301) 405-3555
- ii. Office of Student Conduct (Mitchell Building) Telephone: (301) 314-8204

The University encourages all alleged acts of hazing to be reported promptly to University Officials and/or law enforcement agencies. The criminal process and the University disciplinary process are separate and independent. Reporting to the University does not preclude a victim from filing a report with the police. The University does not normally wait for the conclusion of criminal investigations or proceedings to conduct its own investigation and may take interim measures to protect the complainant and University community.

C. Criminal Reporting

The University's Department of Public Safety is a full-service police agency serving the students, faculty, staff, and visitors within its jurisdiction. The safety and well-being of hazing victims is a primary concern of the University. Student, faculty, staff, parents, etc. are encouraged to report any hazing allegations to the University Police as soon as is reasonably possible. Upon receipt of a report, University Police will normally conduct a criminal investigation. University Police officials can also assist hazing victims in notifying other law enforcement authorities, as appropriate.

D. Student Disciplinary Reporting

All reports of hazing will be reviewed in accordance with the procedures outlined in this policy. Any person may file a complaint of hazing against a University student, defined as a person who is taking or auditing courses at the institution either on a full- or part-time basis. Alumni are not precluded from being charged if the victim is a student and the incident occurred while the alumnus was enrolled as a student.

There is no time limit to filing a formal complaint; however, persons are encouraged to promptly report alleged acts of hazing in order to maximize the University's ability to investigate and respond. The University strives to resolve all complaints within 60 calendar days of receiving a formal complaint. The resolution time may vary depending on the complexity of the investigation and severity and extent of the alleged misconduct.

E. Retaliation

Retaliation against any person filing a complaint or cooperating in the investigation of such complaint is strictly prohibited. Retaliation includes, but is not limited to, direct or indirect intimidation, threats, and/or harassment for or against any party involved in the investigation. Students found to be responsible for retaliation will be subject to disciplinary action under the *Code of Student Conduct*. Retaliatory conduct may also constitute a criminal offense.

In cases of alleged acts of hazing, the University usually does not pursue disciplinary action against a victim unless the individual is perceived as a willing participant or provides false information to a University official. Other charges may apply depending on the unique circumstances of the case.

F. Interim Measures

All formal reports of alleged hazing, regardless of whether the complainant chooses to pursue resolution through the student conduct process, will be investigated, and steps will be taken to provide support to the complainant. This support may include taking appropriate interim action prior to the completion of the investigation and conclusion of the student conduct process.

Interim measures may include a “no contact” directive serving as notice to the organization or its members that they must not have verbal, electronic, written or third party communication with one another or with the student(s) seeking membership. Interim measures may also include alteration of students’ academic schedules, University housing, and/or University employment arrangements and an order to cease and desist all organizational activities of the group being investigated. Failure to comply with interim measures may result in a student being charged with additional disciplinary violations.

III. University Disciplinary Procedures

The Office of Student Conduct is responsible for adjudicating the Hazing Policy. If the accused is a student, a group of students, or a student organization, any person may file a complaint with the Office of Student Conduct.

University student disciplinary procedures and procedural protections are set forth in the *Code of Student Conduct* and published in the Undergraduate and Graduate Catalogs. Both complainants and respondents are given a number of important rights, including the right to pose questions to the other party, the right to be advised by their own attorney or advisor, the right to address the board, the right to question witnesses, the right to be informed of the outcome of the case, and the ability to appeal decisions made by hearing boards. The burden of proof is on the complainant, who must establish the responsibility of the respondent by clear and convincing evidence.

Acts of hazing may result in individual suspension or expulsion from the University, and organizational sanctions may include revocation or denial of recognition or registration as provided by the *Code of Student Conduct*. Students who violate federal, state, and/or local laws may also be subject to criminal charges.

IV. Educational Programs and Prevention

A. Hazing Task Force

For more information contact the Office of the Vice President for Student Affairs at (301) 314-8428.

B. Department of Fraternity and Sorority Life (DFSL)

For more information contact DFSL at (301) 314-7172.

C. Emergency Phones

University Police Emergency Response Telephones (PERT), recognized by a blue light affixed to each station, are available throughout the campus. By activating the phone, an individual will be automatically connected to a Police Dispatcher, who is immediately alerted to the location of the phone.

V. Additional Resources and Applicable Policies

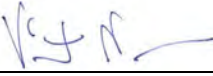
A. The Student Legal Aid Office, located in South Campus Dining Hall, provides free, confidential legal advice to any University student. Undergraduates may contact 301-314-7756 or <http://studentorg.umd.edu/legalaid>. Graduate students may contact 301-405-5807 or <http://gsg.umd.edu/resources/graduate-legal-aid>.

B. The University of Maryland Code of Student Conduct is available online at <http://president.umd.edu/policies/v100b.html>.

Appendix B - Charge



**University Senate
CHARGE**

Date:	April 14, 2014
To:	Jason Speck Chair, Student Conduct Committee
From:	Vincent Novara Chair, University Senate 
Subject:	Hazing Policy Revision
Senate Document #:	13-14-31
Deadline:	November 14, 2014

The Senate Executive Committee (SEC) requests that the Student Conduct Committee review the proposal entitled “Hazing Policy Revision” and consider whether the requested changes are appropriate.

Specifically, we ask that you:

1. Review the Office of Student Conduct’s hazing policy.
2. Review similar hazing policies at our peer institutions and other system schools.
3. Consider whether recommendations for revisions to our hazing policy are appropriate.
4. Consult with the Director of the Office of Student Conduct.
5. Consult with the University’s Office of Legal Affairs.
6. If appropriate, make recommendations as to whether the University of Maryland Policy and Procedures on Hazing should be developed.

We ask that you submit your report and recommendations to the Senate Office no later than November 14, 2014. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.

HAZING POLICIES AMONG BIG 10 INSTITUTIONS (2013-2014)

Institution	Stated Policy/Definition	Penalties	Other Information and Examples
University of Maryland	Intentionally or recklessly subjecting any person to the risk of bodily harm, or severe emotional distress, or causing or encouraging any person to commit an act that would be a violation of law or university regulations, for the purpose of initiating, promoting, fostering, or confirming any form of affiliation with a student group or organization. The express or implied consent of the victim will not be a defense.	May result in suspension or expulsion or registration for a student group or denial of recognition or registration for a student group or organization, even for first offense	
University of Illinois	Student Code defines hazing as "any act that endangers the mental or physical health or safety of any person, or that defaces, destroys, or removes public or private property for the purpose of initiation into, admission into, affiliation with, or as a condition for continued membership in, a group or organization."		Interfraternity Council (IFC) and Sorority Affairs Council have specific statements related to University policy. Such statements were not available for National Pan-Hellenic Council (NPHC) or multicultural Greek organizations.
Indiana University	Hazing is strictly prohibited and defined as any conduct which subjects another person, whether physically, mentally, emotionally, or psychologically, to anything that may abuse, degrade, or intimidate the person as a condition of association with a group or organization, regardless of the person's consent or lack of consent.		

University of Wisconsin	Zero tolerance policy. Hazing is defined as any means, action, or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization operating under the jurisdiction of the Interfraternity Council of the University. Hazing is prohibited at all times by any person affiliated with or under the jurisdiction of the IFC		Hazing is inconsistent with Wisconsin laws, University policies, Student Code of Conduct, and fraternal/organizational laws.
University of Iowa	Hazing is any intentional or unintentional reckless action or situation – with or without consent – that endangers a student or creates risk of injury, mental or physical discomfort, harassment, embarrassment, and/or ridicule – whether on campus or off campus – for the purpose of initiation into, affiliation with, or as a condition for continued membership in any student organization or team recognized by the University of Iowa Student Government or by any other University sponsor.	Sanctions applied to individuals and organizations Sanctions up to and including derecognition from the university are imposed upon a group or club when one or more members or associates of the group or club commit an act of hazing. Criminal sanctions may apply as well.	Applies to all UI students and UI student organizations and clubs. Acts of hazing include, but are not limited to: compulsory alcohol or drug consumption; physical brutality; psychological cruelty; public humiliation; morally degrading activities; forced confinement; creation of excessive fatigue; required removal or destruction of public or private property; or any other activity that endangers the physical, mental, psychological, or academic well-being and/or safety of an individual. Any requirement imposed upon prospective, new, or current members which is not related to the organization's purpose is discouraged and will become the subject of a University investigation once the practice is brought to the attention of the Office of Student Life.

University of Michigan	The University of Michigan condemns hazing practices as requirements for membership, advancement, or continued good standing in organization. Hazing includes willful acts, with or without the consent of the individuals involved: physical injury, assault or battery; kidnapping or imprisonment; intentionally placing at risk of severe mental or emotional harm (putting "over the edge"); degradation, humiliation, or compromising of moral or religious values; forced consumption of any liquid or solid; placing an individual in physical danger (at risk) which includes abandonment; impairment of physical liberties which include curfews or other interference with academic endeavors.	The university community urges appropriate sanctions to violators to the extent legally possible.	Institution posts Michigan state law, and UM policy in the following areas: Greek Life, Student Organizations and Recognition, and Office of Student Conflict Resolution
Michigan State University	Hazing is not tolerated and any acts of hazing are prohibited. Hazing is a broad term encompassing any action or activity which does not contribute to the positive development of a person; which inflicts or intends to cause physical or mental harm or anxieties; and/or demeans, degrades or disgraces any person regardless of location, intent or consent of participants. Hazing can also be defined as any action or situation which intentionally or unintentionally endangers a student for admission to or affiliation with any team.		

University of Minnesota	Hazing is prohibited whenever it occurs on university premises or in connection with any university affiliated group or activity. Defined as any act taken on university property or in connection with any university-related group or activity that endangers the mental or physical health or safety of an individual (including, without limitation, an act intended to cause personal degradation or humiliation), or that destroys or removes public or private property, for the purpose of initiation in, admission to, affiliation with, or as a condition for continued membership in a group or organization.	<p>Individuals: Disciplinary probation, suspended from a team or student group, or dismissed from the University. Students may also be subject to criminal liability.</p> <p>Student groups: sanctions from respective national organizations, loss of University privileges, social probation, suspension, or dismissal by the University</p>	
Northwestern University	University forbids hazing and all other activities that interfere with the personal liberty of an individual. Defines hazing as any action taken or situation created, whether on or off University premises, to produce mental or physical discomfort, embarrassment, harassment, or ridicule for the purpose of initiation into, affiliation with, or admission to, or as a condition for continued membership in a group, team, club, or other organization. Policy further describes hazing activities.		Examples included in the policy: Paddling; excessive fatigue; physical and psychological shocks; scavenger hunts and road trips; wearing conspicuous apparel; engaging in stunts and buffoonery; requiring sleep-overs or morally degrading or humiliating games and activities; late work sessions/activities; consumption of food; removing public or private property; falsely leading an individual to believe that they will be inducted/initiated by participating in activities; forcing participation in activities not consistent with university mission, rules, policies, or federal, state, or local law

Ohio State University	Hazing defined as doing, requiring, or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group, that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form.		Separate violation of the Code of Student Conduct.
Penn State University	Any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student or that willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any registered student organization.		Hazing includes, but not limited to, brutality of physical nature, exposure to the elements, forced consumption of food, liquor, drugs, forced physical activity that could adversely affect the physical health and safety of the individual to extreme mental stress, exclusion from social contact, embarrassment.
Purdue University	Hazing is forcing or requiring another person, regardless of that person's consent, to perform an act that creates a substantial risk of physical harm; substantially or seriously demeans or degrades any person; or interferes with any person's scholastic activities	University action occurs whether or not civil or criminal actions take place; can take action against organization or individual	Person suffering or witnessing a hazing activity is strongly encouraged to report the incidents; presidents of student organizations responsible for informing others of this policy, including guests.

Rutgers	Hazing is defined as an act that is an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization. Hazing is a broad term encompassing any action or activity which does not contribute to the positive development of a person; which inflicts or intends to cause physical or mental harm or anxieties; and/or which demeans, degrades, or disgraces any person regardless of locations, intent or consent of participants.		No student or advisor shall knowingly permit the hazing of another; no student or advisor shall fail to report hazing; Greek life office outlines further enforcement of the hazing policy
University of Nebraska	Any activity by an organization or by a member of an organization in which a member, prospective member, pledge or associate of the organization is subjected to acts which cause harm or create the risk of harm to the physical or mental health of the member, prospective member, or pledge. The intent of any person engaging in hazing activity or the consent or cooperation of any person who is a victim of hazing will not constitute a defense to an allegation of misconduct for hazing.	Any individual or fraternity member found in violation is subject to IFC bylaws and disciplinary proceedings outlined in the Student Code of Conduct.	Hazing includes, but is not limited to, any act or activity which causes or might reasonably be expected to cause fear or intimidation, extended deprivation of sleep or rest, forced consumption of any substance, physical exhaustion, physical harm (beating, boarding, paddling, branding or exposure to weather), or damage to property.