

## Policy Prohibiting Hazing

### Policy Statement and Purpose

In support of its mission to prepare students for lives of success, service and growth, Ohio Northern University seeks to provide and maintain a learning environment that is both positive and safe. Our [Core Values](#) call upon each member of the ONU family to live in community with one another and to act with integrity. To live into these values requires our being purposeful, open, just, disciplined, and caring. We must conduct ourselves with honesty and trustworthiness and we must respect one another.

Toward this end, the University has zero tolerance for any form of hazing within our community. All students and recognized student organizations, fraternities and sororities, varsity athletic teams, and all other student groups as well as employees, volunteers, alumni and consultants of the University are prohibited from engaging in hazing behavior. Hazing causes significant and lasting harm to victims, their families and the community. An anti-hazing mindset and the prevention of hazing is therefore a shared responsibility of the entire ONU community, including our students, faculty, staff and alumni.

The **Policy Prohibiting Hazing** (“Policy”) that follows outlines the scope of the Policy, provides key definitions, prohibits specific hazing and related behavior, identifies mechanisms for reporting hazing, describes specified amnesty related to reporting, summarizes the University’s procedures for response and the consequences for violations, discusses policy awareness and training and describes the University’s reporting and policy review commitments.

### Scope of the Policy

Hazing is a crime under the [Ohio Revised Code, 2903.31](#) (Collin’s Law) and it may be investigated and prosecuted by law enforcement regardless of whether or not an individual or organization is found responsible for hazing in accordance with ONU’s policies and procedures. The Policy shall apply to all ONU students, student organizations, student groups as well as employees, volunteers, alumni and consultants of the University who are acting in an official capacity and who advise or coach student organizations and student groups and who have direct contact with students. The Policy shall apply when hazing takes place between two or more people who are affiliated with ONU.

As is noted in ONU’s Student Code of Conduct, the University has jurisdiction to pursue violations whether they occur on or off campus. This Policy shall apply to all University locations, including at University-sponsored or approved activities, at non-University activities and where the University is extended to distance education, such as study abroad, service trips, experiential learning opportunities as well as athletic, club sport and other group travel. Additionally, the Policy shall also be applied to behavior occurring online, via e-mail or through other electronic media. While the University does not routinely search for online information, it may act if information is brought to the attention of University officials.

While a hazing matter is pending or in process, the University may proceed with resolution based on available information. If allegations of a violation are made against a student and cannot be resolved prior to a student's intended graduation date, ONU reserves the right to withhold a student's degree until after the matter has been finally resolved if the student has been deemed eligible to receive a ONU degree.

The Policy shall apply regardless of an individual's willingness to participate in an activity, the activity's actual bearing on a student's membership status or whether the organization event was or was not officially approved by the organization or ONU. Lastly, the Policy shall also apply to behavior that is knowing and intentional as well as to reckless behavior. Under this Policy, to behave recklessly means to act with conscious disregard of a substantial and unjustifiable risk that an action or inaction will result in harm or substantial risk of harm.

In addition to this Policy, NCAA student athletes shall follow the policies and guidelines set forth by the NCAA, ONU's affiliated athletic conference and ONU Athletics.

### **Definitions**

Hazing. Ohio Northern University defines "Hazing" to mean 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 or enhance membership in or affiliation with any student or other organization or any act to further a tradition or ritual of 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.

The following illustrative list includes behaviors that shall be considered hazing and behaviors that may be construed as hazing depending on the circumstances. This list is not intended to be exhaustive as behaviors beyond those listed could still be determined to meet the definition above.

- Causing, coercing or forcing a person to violate Federal or State criminal law
- Forcing, coercing or endorsing alcohol or other drug of abuse consumption
- Forcing, coercing or endorsing ingestion of any liquid or substance
- Physical assault, including paddling, beating, burning or branding, spraying with hoses, buckets or sprinklers, or covering with food, dirt, oil or other substances
- Creating excessive fatigue or requiring calisthenics such as sit-ups, push-ups, runs or any form of physical abusive exercise
- Sexual violation of any kind including morally degrading or humiliating games and activities involving nudity, lewd or indecent behavior
- Verbal assault, including yelling or screaming at new members
- Individual interrogations (e.g. line-ups) not consistent with legitimate testing for information about the history, purpose or direction of the organization
- Acts of deprivation, including sleep, blindfolding members, limiting physical movement, or conducting activities that do not allow adequate time for study
- Abductions and kidnaps or abandonment

- Scavenger hunts, treasure hunts, road trips, or any other such activities when not done for information gathering purposes consistent with the education purposes of the organization
- Assigning or endorsing pranks such as borrowing or stealing items, panty raids, composite picture or banner raids, painting property and objects, or harassing other groups
- Any type of personal servitude such as running errands, cleaning or other chores
- Requiring participants to wear specific articles of clothing, an outfit, or any item in a way that could bring excessive attention to the wearer
- Requiring the carrying of items such as rocks, helmets, shields, bricks, paddles, etc.
- Any other activities requested of new or current members that are not consistent with the regulations and policies of Ohio Northern University or applicable State law.

This definition shall not include reasonable and customary organization training, contests or other activities that are explicitly relevant to the mission of the student organization or group.

Student. Under this Policy, a “student” includes any person who is admitted to Ohio Northern University for the duration through their graduation or official withdrawal from the University. This shall include newly admitted students who have participated in orientation and all currently enrolled students.

Student organization. “Student organization” means a group of people who are associated with each other and who have registered with the University as a recognized student organization as outlined in the ONU Student Handbook. Under this Policy, “student organization” is intended to include all four categories of designation at ONU: (A) Fully recognized student organization, (B) honorary organization, (C) University affiliated/sponsored organization and (D) College of Law organization.

Student group. “Student group” means a number of persons who are associated with the University and each other, but who have not registered or are not required to register as a student organization (e.g., athletic teams, military organizations, musical or theatrical ensembles, bands).

Substantial risk. ONU defines “substantial risk” consistent with Ohio Revised Code 2901.01(A)(8), meaning “a strong possibility, as contrasted with a remote or significant possibility, that a certain result may occur or that certain circumstances may exist.”

Serious physical harm. ONU defines “serious physical harm” consistent with Ohio Revised Code 2901.01(A)(5), meaning to include any physical harm that: carries a substantial risk of death, involves some permanent incapacity, whether partial or total, or that involves some temporary, substantial incapacity, involves some permanent disfigurement or that involves some temporary, serious disfigurement or that involves acute pain of such duration as to result in substantial suffering or that involves any degree of prolonged or intractable pain.

### **Prohibited Conduct**

The following behavior shall constitute violation of the Policy:

- Hazing any person
- Involvement with planning hazing and/or being present while hazing is occurring
- Failing to intervene to stop hazing when it is occurring and where the individual had prior knowledge of a planned hazing activity
- Failing to assist or seek assistance if the person knows or should know that a person is in danger from the effects of hazing
- Failing to report any information about suspected conduct under this Policy
- Knowingly making a false report or allegation of hazing
- Failing to cooperate with a hazing investigation, including tampering with evidence
- Retaliation against a person reporting hazing or a person participating in the University's investigation or adjudication processes

### **Mandated Reporters**

Ohio Revised Code 2903.311(B) mandates that no employee, volunteer, alumnus or consultant of an organization who is acting in an official capacity shall recklessly fail to report their knowledge of hazing to law enforcement. Under this Policy, "mandated reporters" must immediately report knowledge of hazing activity to Ada Police and to the University through one of the appropriate reporting options noted in the following section. At ONU, "mandated reporters" include any full- or part-time employees acting in an official capacity (including graduate and student employees), and any alumni, volunteers or consultants acting in an official capacity, who advise or coach a student organization or student group and who have direct contact with students. Staff members such as counselors, medical personnel and clergy who are required by law or licensure to protect the confidentiality of information are exempt from this reporting requirement except where breach may be necessary to protect the client/person from imminent threat of harm to self or others.

University employees or volunteers who may have questions about their reporting obligations under Ohio law may contact ONU's Vice President and General Counsel at (419)772-1022. Students who may have questions about their reporting obligations may contact the Office of Student Conduct or the Office of Student Involvement, both at (419)772-2434.

### **Duty to Report**

Ohio Northern University requires anyone who is experiencing hazing or has information about hazing behavior occurring to make a report with the University. A prompt report aids the University in communicating with appropriate law enforcement agencies as required by law, preserving evidence and engaging its investigation in a timely way. ONU is committed to reviewing all reports regarding hazing. Reports regarding hazing can be made in the following ways:

Hazing emergencies. Reporters should dial 911 to report any emergency situations related to hazing. Reporters should also officially report the matter immediately to the Office of Student Conduct or to Public Safety.

University contacts to report hazing. Any of the following agencies can receive a report regarding hazing:

- Office of Student Conduct – Student Affairs Suite, 1<sup>st</sup>, McIntosh Center; (419)772-2434
- Department of Public Safety – 211 S. Union St., Business Services Building; (419)772-2222
- [Hazing Report Form](#)
- Office of Human Resources – 154 Lehr Memorial Building, (419)772-2013 (Note: Hazing violations by ONU employees should be reported to this office.)

Anonymous reporting. Persons may report prohibited conduct anonymously using the toll-free Campus Conduct Hotline® at (866)943-5787. Additional information about the hotline can be found [HERE](#).

### **Amnesty**

The University recognizes that an individual who has been drinking alcohol or using drugs at the time of a hazing incident may be hesitant to make a report or participate in an investigation because of fear they themselves may be accused of those policy violations. To encourage students to report hazing, the University may at its discretion extend amnesty for minor violations of alcohol and other drug policies. If amnesty is granted, an educational discussion or other informal resolution may be considered, but no University student conduct proceeding will be initiated.

### **Procedures for Response**

Upon receipt of a report of hazing, the University will notify appropriate law enforcement agencies regarding the report and the communication will be documented in the Student Affairs Office. Upon appropriate communication of the alleged incident and behavior to Student Affairs, the Vice President for Student Affairs or designee will determine if any interim measures may be needed to protect the safety and well-being of others. Such interim action could include temporary suspension of organization or group activities, temporary suspension of individual students, restriction of specific privileges, no contact directives, or other actions needed to ensure student and community safety.

The Office of Student Conduct and the Office of Student Involvement or their designee will immediately begin investigation of all reports of hazing involving ONU students, student organizations and groups. In circumstances where the allegation may include hazing-related behavior by an employee of ONU, investigators and the Student Affairs Office will collaborate appropriately with Human Resources. Where an allegation of hazing may involve a fraternity or sorority, the Office of Student Involvement will communicate with the organization's national office to advise them about the University's receipt of the report and allegation. In instances

where an allegation may allege hazing behavior by a student group (e.g., athletic team, music ensemble), Student Affairs will notify the associated Vice President of the report and allegation.

Persons or organizations or groups being investigated may request that specific information or evidence be included in the record and may request that investigators speak with specific witnesses. The relevance of specific information or witnesses shall be determined by the investigators and noted within the investigative report. Investigators shall have authority to request an interview with any individual or select group of organization or group members who may have information regarding the allegation. Investigators may also request relevant documentary evidence from participants including text messages, email, screen shots, pictures, video, etc. During an investigation, investigators may explicitly restrict communication between student organization and group members during the interview process. While students shall be required to appear at appropriate investigation and student conduct meetings, the University cannot compel a student to answer questions or provide specific information. However, where a student, organization or group fails to cooperate in answering questions or providing information, the University has the authority to proceed to a determination based on the information available. It is a violation of the Student Code of Conduct to furnish false or misleading information to any University official, faculty member, or office; this shall also include distortion or intentional omission of information.

Investigators will provide their completed report to the Office of Student Conduct. Allegations of hazing against individual students, student organizations and groups will be adjudicated in accordance with Ohio Northern University's student conduct procedures specified in its Student Code of Conduct.

### **Sanctions for Violation of the Policy**

Hazing is a serious breach of the University's behavior expectations. Violations of the Policy by individual students or student organizations or groups shall be sanctioned under the Student Code of Conduct and other related policies and are subject to the full range of sanctions (warning, social probation, withheld suspension, suspension, dismissal) as well as other educational sanctions. Additionally, an individual, student organization or group responsible for hazing may also be subject to other outcomes or penalties in accordance with the rules and policies of applicable outside constituents or groups in which the student is involved, or their governing bodies. The University has the right to act regardless of the actions of the governing body.

Dismissal from ONU or a recommendation to ONU's President to revoke a conferred degree shall be the minimum student conduct sanction assigned to any student for any violation of this Policy that causes death, serious physical harm, or substantial risk of serious physical harm. This includes coerced consumption of alcohol or drugs of abuse that causes death, serious physical harm, or substantial risk of serious physical harm.

For student organizations, sanctions include, but are not limited to, revocation of registration or denial of application for registration, loss of University privileges such as the ability to formally meet on campus and to use campus facilities or to represent the University and, in the case of fraternities and sororities, the right to be recognized or operate at the University.

Violations of the Policy by employees may result in corrective employment action or discipline (including termination) in accordance with applicable University policies and procedures as determined by Human Resources.

Individuals who participate in hazing or recklessly permit the hazing of another may also face criminal penalties in accordance with Ohio Revised Code sections 2903.31 and 2903.311. These penalties are independent and in addition to sanctions that may be imposed by the University under this Policy.

### **Reporting and Transparency**

The University will publish public summaries of all allegations and violations of the Policy Prohibiting Hazing by student organizations and student groups. These reports will be available on the University's public website. In compliance with the State of Ohio Collin's Law, these reports will be posted beginning January 2023 and updated on the first day of January and first day of August of each year. Reports will include the name of the organization or group involved, the date when the student organization or group was charged with violation of the Policy, a summary description of the alleged misconduct, the findings and outcomes of any investigation, the corrective actions imposed in response to violations and the date on which the matter was resolved. The reports will include at least the past 5 years of reported hazing related incidents.

### **Policy Awareness and Training**

The Policy will be shared with the University community annually by email and it will also be available for review and download from the Ohio Northern University public website.

All students and employees of ONU will be required to complete appropriate hazing awareness and prevention training. Completion will be verified by the University and no student shall be permitted to participate in any student organization or group until such time as they have completed required training. Training will be delivered electronically. New students will be provided an initial opportunity to access the training during orientation. Students failing to complete required training by communicated deadlines may be subject to student conduct action under the Student Code of Conduct and/or suspension of other privileges, as appropriate. Employees shall complete required training in accordance with Human Resources policy.

### **Policy Review**

The Policy will be reviewed each year by the Office of Student Conduct and updated as needed and appropriate. ONU's Vice President and General Counsel will evaluate the Policy for changes in legal and compliance requirements.