

# MOUNT ST. JOSEPH UNIVERSITY ANTI-HAZING POLICY

## 1. OVERVIEW AND SCOPE

The mission of Mount St. Joseph University (the “University”) emphasizes values, integrity and social responsibility. As part of this commitment to a culture of ethical conduct, members of the Mount community embrace respect and concern for all persons. Mount community members bear mutual responsibility for bringing to light any incidents that violate this commitment or community trust. Hazing is a crime, causes physical and emotional harm, and creates an environment where community members feel unsafe. Hazing has no place in the Mount community.

This policy adopts the definition of “hazing” provided in section 2903.31 of the Ohio Revised Code:

Doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization or any act to continue or reinstate membership in or affiliation with any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse, as defined in section 3719.011 of the Revised Code.

The full text of Ohio Revised Code §2903.31 is found at <https://codes.ohio.gov/ohio-revised-code/section-2903.31>.

Incidents of hazing may involve conduct prohibited by other University policies. For incidents of hazing involving forms of sexual misconduct, please see the University’s [Sex Discrimination, Sexual Misconduct and Interpersonal Violence Policy](#). For incidents of hazing involving forms of harassment based on a legally protected classifications, such as race, color, origin, religion, age, disability, sex, pregnancy, sexual orientation, gender identity, or any other status protected by law, please see the University’s [Equal Opportunity and Nondiscrimination Policy](#).

This policy applies to hazing that takes place between two or more Mount community members, including hazing that occurs off campus. For purposes of this policy, Mount community members include students, faculty, staff, volunteers, alumni, consultants, and organizations (e.g., recognized student organizations, associations, and boards, and the national or international organizations with which they are affiliated; University athletic programs and other university-administered programs; University camps and clinics, and other University-administered services).

## 2. ANTI-HAZING NOTICE

**The University does not tolerate any form of hazing between Mount community members**, and will respond promptly and effectively to allegations of hazing. The University will promptly conduct investigations and take appropriate action, including disciplinary action, against individuals found to have violated this policy. The University will take immediate action to end any event, process or environment involving hazing, as appropriate in the University’s sole discretion, prevent recurrence of such hazing activities, and remedy the effects on affected community members.

## 3. REPORTING

**Any Mount community member who has witnessed or become aware of an incident of hazing must report such conduct immediately and in accordance with the procedures detailed below.**

Effective October 7, 2021

Separate from and in addition to the University's reporting requirements, Ohio Revised Code §2903.311, known as Collin's Law, requires any employee, volunteer, alumni, or consultant, who is acting in an official and professional capacity, to immediately report alleged hazing to a law enforcement agency in which the victim of hazing resides or in which the hazing is occurring or has occurred. Collin's Law is named for Collin Wiatt, an 18 year old college freshman at Ohio University who died in 2018 after ingesting nitrous oxide at a fraternity party.

Additionally, Ohio Revised Code §2921.22 requires any person with knowledge that a felony has been or is being committed to report such knowledge to law enforcement authorities.

**Therefore, failure of any Mount community member to report incidents of hazing to law enforcement may result in criminal penalties, in addition to, and separate from, any discipline imposed by the University for violation of this or another University policy.**

The full text of Ohio Revised Code §2903.311 is found at <https://codes.ohio.gov/ohio-revised-code/section-2903.311>.

The full text of Ohio Revised Code §2921.22 is found at <https://codes.ohio.gov/ohio-revised-code/section-2921.22>.

### **Reporting Hazing**

Any Mount community member who has been the victim of, witnessed, or become aware of any form of hazing **must** promptly report such conduct to the following offices:

- **University Police**
  - Located: Ground Floor of the Seton Center
  - Phone: Campus Telephone: Dial 0
  - Cell Phone: 513-244-4200 for direct access to the MSJ Police Department
  - Dial 911 for emergencies
- **Dean of Students**
  - Name: Janet Cox
  - Phone (513) 244-4239
  - Email: janet.cox@msj.edu

Reports can also be made anonymously 24/7 by calling or texting (513) 244-TIPS or by emailing 244TIPS@msj.edu. Please note that these anonymous reporting options are not intended for any immediate safety or emergency situations.

All immediate safety or emergency situations, including hazing believed to be in progress, should be reported immediately to the MSJ Police Department at 513-244-4226 or dial 0 from any campus phone.

### **Good Samaritan/Amnesty Policy**

The University encourages reporting of conduct prohibited by this policy and seeks to remove any barriers to making a report. The University recognizes that an individual who has been drinking alcohol or using drugs at the time of an incident may be hesitant to make a report and/or file a formal complaint because of potential consequences for the individual's own conduct. An individual that reports conduct prohibited by this policy, either on the individual's own behalf or as a witness, will not be subject to disciplinary action by the University for the individual's own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violation did not and does not place the health or

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safety of any other person at risk. Further, if an individual that reports conduct is found to have violated this policy, then the act of reporting will be taken as a mitigating factor during the selection of sanction.

#### **4. DISCIPLINARY PROCEDURES**

##### **Criminal Reports**

Criminal complaints follow criminal processes which may include a police investigation, a referral to the Hamilton County Prosecutor's Office, and/or the criminal court system for resolution. *In 2021, under Ohio Revised Code §2903.311, which is known as Collin's Law, hazing violations were elevated to second-degree misdemeanors and hazing involving forced consumption of drugs or alcohol that seriously harms someone has been elevated to a felony punishable by prison time.*

##### **Institutional Reports**

The University's investigation of allegations of policy violations is different and separate from a criminal complaint investigation by any law enforcement agency. An ongoing law enforcement investigation does not relieve the University of its obligation to investigate allegations of hazing. In cases involving potential criminal conduct, University personnel must determine, consistent with federal, state, and local law, whether appropriate law enforcement agencies or other authorities should be notified. Conduct may constitute a violation of this policy and result in disciplinary action by the University even if a law enforcement agency and/or court of law determines that the conduct did not constitute a crime.

The University will review all reported allegations of hazing and investigate when appropriate to determine whether this policy has been violated and to impose sanctions for any such violations as effectively and fairly as reasonably possible under the circumstances. An allegation of hazing will be investigated and resolved in accordance with the University's established disciplinary procedures governing the conduct of the individual(s) alleged to have violated this policy (e.g., student handbook, employee handbook, faculty contract).

#### **5. POSSIBLE DISCIPLINE/SANCTION(S)**

Hazing constitutes an act of serious misconduct under the student handbook and a serious offense under the employee handbook. If it is determined that any member of the University community has engaged in conduct in violation of this policy, the individual will be promptly disciplined, with penalties up to and potentially including dismissal from the University, termination of employment, or loss of privileges.

If it is determined that a student has violated this policy, other sanctions that may be imposed include, but are not limited to, suspension, disciplinary warning, disciplinary probation, disciplinary probation with restrictions, fines, restitution, notification to others, educational/work assignment/community service, counseling, and loss of privileges. If it is determined that an employee has violated this policy, other sanctions that may be imposed include, but are not limited to, suspension with or without pay, demotion, and reassignment.

When a Mount community member who is not a student or employee (e.g. a visitor, contractor, business partner) has engaged in hazing, the University will take appropriate steps to prevent recurrence and to correct harmful effects on the complainant, the campus, and others, as necessary.

A penalty imposed under this policy is in addition to any other penalties imposed for violations of other University policy and/or local, state, or federal laws to which the individual or organization who committed the violation may be subject.

## **6. COMMUNITY EDUCATION**

The University offers a variety of education, training, and support resources related to hazing to Mount community members. The University is committed to educating all Mount community members about hazing, including how to recognize it and steps to address it. All students, employees, and volunteer advisors and coaches are required to complete hazing education as part of being a member of the Mount community. All recognized organizations must conduct mandatory training on hazing for any volunteer who has contact with students. For information about training resources, please contact the Office of Student Affairs (students) at 513-244-4239 or the Office of Human Resources (employees) at 513-244-4979.

Any student who does not complete hazing education as required by the University may not participate in any University organization, including student organizations, athletics teams, intermural sports, and/or musical ensembles until the training is complete. Continued failure to complete the training may result in disciplinary action.

Any employee who does not complete hazing education as required by the University will be subject to disciplinary action consistent with the processes outlined in the Employee Handbook, up to and including termination.