

ANTI-HAZING POLICY

January 15, 2019

I. POLICY STATEMENT:

Lehigh University is first and foremost an educational institution, committed to developing the future leaders of our changing global society. As an educational institution, the health and safety of our students and other community members is paramount. Lehigh University does not tolerate hazing. Any individual or organization to which this Anti-Hazing Policy applies found responsible for hazing, occurring on or off campus, is subject to disciplinary action by Lehigh University and may also face criminal charges under applicable law, including The Timothy J. Piazza Antihazing Law, 18 Pa. C.S. § 2801, et seq. (the “**Antihazing Law**”).

This Policy reproduces excerpts of the Antihazing Law, the full text of which is available at 18 Pa. C.S. § 2801, et seq. Students and other community members to which this Policy applies are strongly encouraged to read the Antihazing Law in its entirety.

II. PURPOSE; DEFINED TERMS:

The purpose of this document is to state Lehigh University’s Anti-Hazing Policy; identify how Lehigh University will enforce this Policy; and identify resources for reporting violations of this Policy. Capitalized terms that are not defined in the body of this Policy are defined in Appendix A.

III. APPLICATION:

This Policy applies to the following:

- Individual students
- Organizations, including, but not limited to:
 - Recognized student organizations
 - Formerly recognized student organizations
 - Loosely affiliated student groups
 - Athletic teams
 - Musical organizations
 - Any other organization operating under the sanction of or recognized as an organization by Lehigh University
- Other individuals associated with the organizations described above, including:
 - Guests of students/student organizations
 - Athletic or academic recruits
 - Prospective students
 - Advisors
 - Alumni members
 - Representatives, directors, trustees, or officers of any national or parent organization

IV. ACCOUNTABILITY

Any group or organization (referred to herein as a “group”) may be held accountable for the actions of any of its members if the violation of the Code or this Policy is in any way related to the group or organization. Group misconduct need not be officially approved by the entire membership in order to be considered grounds for possible disciplinary action against the group. There is no minimum number of group members who must be involved in an incident before disciplinary action may be taken against the entire group. In some instances, the conduct of a single member may provide sufficient grounds for action against the entire group. An appropriate but not exhaustive test to determine whether a group may be held accountable for the conduct of individuals is to ask whether it is likely that the individuals would have been involved in the incident if they were not members of the group or, if, by group action, the incident was encouraged, fostered, or might have been prevented.

V. JURISDICTION

This Policy applies to any conduct that affects the Lehigh University community as a whole, its individual members, or the pursuit of its objectives, including any act conducted on or off Lehigh University’s campus if such act constitutes hazing or any offense under the Antihazing Law.

VI. PROHIBITED ACTS

Lehigh University has maintained a longstanding prohibition against hazing, as described in the Code of Conduct (the “Code”). This Policy is intended to add to, and to work in conjunction with, Lehigh University’s existing anti-hazing provisions in the Code. The definition of hazing in the Code is reprinted below. In addition to its traditional prohibition of hazing, Lehigh University also adheres to the Antihazing Law, enacted in 2018. The Antihazing Law defines hazing to include: Hazing, Aggravated Hazing, and Organizational Hazing (defined below). Hazing, Aggravated Hazing, and Organizational Hazing are each prohibited by Lehigh University policy.

It shall not be a defense to hazing that the consent of the minor or student was sought or obtained. It is also not a defense that the conduct was sanctioned or approved by the group or organization.

Lehigh University’s Definition of Hazing from the Lehigh University Student Code of Conduct:

Hazing is any action taken or situation created, whether on or off campus, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Hazing includes but is not limited to any brutality of a physical nature, such as paddling, whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity that would subject the individual to physical harm or mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which would adversely affect the mental health or dignity of the individual. Among prohibited activities are forced or

coerced activities which create excessive fatigue; cause physical and psychological shocks; involve kidnapping; involve morally questionable quests, treasure hunts, scavenger hunts, or any other such activities; involve publicly wearing apparel that is conspicuous and not normally in good taste; cause students to engage in public stunts and buffoonery, morally degrading or humiliating games and activities, or late night activities which interfere with scholastic activities. Also prohibited are any activities that are in violation of federal, state, or local laws, the Code, or accepted standards of good taste or propriety. For purposes of this definition, any activity described in this paragraph upon which the admission into or affiliation with an organization is directly or indirectly conditioned shall be presumed to be “forced or coerced” activity, the willingness of an individual to participate in such activity notwithstanding.

Definitions set forth in the Timothy J. Piazza Antihazing Law, 18 Pa. C.S. § 2801, et seq.:

Hazing: A person commits the offense of hazing if the person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a minor or student into or with an organization, or for the purpose of continuing or enhancing a minor or student's membership or status in an organization, causes, coerces or forces a minor or student to do any of the items listed below in (1)-(6). Hazing shall NOT include reasonable and customary athletic, law enforcement or military training, contests, competitions or events.

1. Violate Federal or State criminal law;
2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the minor or student to a risk of emotional or physical harm;
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements;
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment;
5. Endure brutality of a sexual nature;
6. Endure any other activity that creates a reasonable likelihood of bodily injury to the minor or student.

Aggravated Hazing: A person commits the offense of aggravated hazing if the person commits a violation of Hazing that results in serious bodily injury or death to the minor or student; and

1. The person acts with reckless indifference to the health and safety of the minor or student; or
2. The person causes, coerces, or forces the consumption of an alcoholic liquid or drug by the minor or student.

Organizational Hazing: An organization commits the offense of Organizational Hazing if the organization intentionally, knowingly, or recklessly promotes or facilitates a violation of Hazing or Aggravated Hazing.

VII. REPORTING VIOLATIONS OF THIS POLICY; NONRETALIATION

Lehigh University encourages all members of the community who believe that they have witnessed, experienced, or are aware of conduct that constitutes hazing in violation of this Policy to report the violation to Lehigh University Police and/or the Office of Student Conduct & Community Expectations.

This Policy prohibits retaliation against, and intimidation or harassment of, anyone who reports or is believed to have reported hazing, or other prohibited conduct, or who is a witness or otherwise involved in a hazing violation. Such retaliation, intimidation, or harassment is considered a serious violation of this Policy, regardless of whether a hazing violation is upheld. Encouraging others to retaliate is also prohibited. Complaints of retaliation should be filed with the Office of Student Conduct & Community Expectations.

More information on reporting and hazing-related resources can be found online at:

<https://studentaffairs.lehigh.edu/content/report-hazing>.

Note: For student members of the community, being in the presence of a violation of hazing without reporting it would be considered a violation of applicable sections of the Code.

VIII. ENFORCEMENT OF THIS POLICY

Lehigh University Police and/or the Office of Student Conduct & Community Expectations will investigate all allegations of hazing reported to Lehigh University as described in Section VII above to the extent practicable based upon the information provided. Any violation of this Policy shall be deemed a violation of the Code and applicable laws.

IX. SANCTIONS

Lehigh University reserves the right to impose discipline or sanctions upon any individual or organization found responsible for violating this Policy in its sole discretion in accordance with applicable Lehigh University policies and procedures in effect from time to time. The following list illustrates examples of sanctions, but is not exhaustive:

Individual Students found responsible for violations of this Policy and/or the Code may be subject to the following possible sanctions: Expulsion, Disciplinary Suspension, Disciplinary Deferred Suspension, Disciplinary Probation, or Disciplinary Warning (as such terms are defined in the Code). Additionally, educational or restorative sanctions may also be imposed. Sanctions will be imposed in accordance with the applicable sections of the Code.

Student Organizations found responsible for violations of this Policy and/or the Code may be subject to the following possible sanctions: Termination, Dissolution, Deferred Dissolution, Probation, or Disciplinary Warning (as such terms are defined in the Code). Additionally, educational or restorative sanctions may also be imposed. Sanctions will be imposed in accordance with the applicable sections of the Code.

Faculty or Staff found responsible for violations of this Policy may be subject to disciplinary action up to and including termination of employment.

Other Individuals or Groups or Organizations found responsible for violations of this Policy may be subject to disciplinary action and/or sanctions in the sole discretion of Lehigh University, which may include expulsion from Lehigh's campus and/or being referred to law enforcement.

These sanctions will be in addition to any penalty imposed for violation of any other Lehigh University rule to which the violator may be subject.

X. Institutional Bi-Annual Report

Lehigh University will maintain a report of all violations of this Policy or of Federal or State laws related to hazing that are reported to Lehigh University in accordance with the Antihazing Law. Lehigh University will update the report biennially on January 1 and August 1 and will post the updated report on its publicly accessible Internet website. (LOCATION)

Appendix A

Defined Terms

Terms used but not defined in the Policy have the following meanings:

- A. The term "**alcoholic liquid**" means a substance containing liquor, spirit, wine, beer, malt or brewed beverage or any combination thereof.
- B. The term "**bodily injury**" means impairment of physical condition or substantial pain.
- C. The term "**Code**" means Lehigh University's Code of Conduct, as amended or modified from time to time.
- D. The term "**drug**" means a controlled substance or drug as defined in the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act.
- E. The term "**Lehigh University premises**" includes all land, buildings, facilities, and other property owned, used, or controlled by Lehigh University, as well as adjacent streets and sidewalks.
- F. The term "**organization**" includes any of the following:
 - 1) A fraternity, sorority, association, corporation, order, society, corps, club or service, social or similar group, whose members are primarily minors, students or alumni of the organization, an institution or secondary school. Note: this includes a group of individuals meeting the foregoing criteria whether or not such group is recognized in a formal manner by Lehigh University.
 - 2) A national or international organization with which a fraternity or sorority or other organization as enumerated under paragraph (1) above is affiliated.
 - 3) Any student organization (as such term is defined in the Code).
- G. The term "**serious bodily injury**" means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.
- H. The term "**student**" includes (i) all persons taking or scheduled to take courses at Lehigh University, both full-time and part-time, pursuing undergraduate, graduate, post graduate, or professional studies; and (ii) any person who has applied to attend or has been admitted to attend Lehigh University. Persons who are not enrolled at Lehigh University for a particular term but have a continuing relationship with Lehigh University are considered students.