

2.2.17 University Hazing Policy

I. University of San Diego Hazing Policy Statement

Hazing is prohibited by California state law, Federal law and University policy. The University of San Diego's hazing prevention and education policy is grounded in the University's mission to create a more inclusive, sustainable, and hopeful community. Anchored in USD's mission and values is our commitment to uphold the dignity of every person through socially responsible practices and ethical conduct. Hazing rituals, ceremonies, initiations, behaviors and rites of assimilation exploit the inherent human need to belong to a community. Hazing practices, in addition to harming individuals, diminish the integrity of the Torero community we strive to cultivate. Failing to prevent, discourage, and/or report hazing may violate this policy.

II. Definition of Hazing

As a part of the University of San Diego's core values, "we affirm the dignity of every person and strive to create a culture of respect and inclusivity. This conviction grounds our efforts to ensure that all members of our community are able to thrive in every dimension of their lives". As such, individuals or groups of individuals may not engage in any hazing activities whether on or off campus and whether planned or spontaneous. Hazing means any method of membership into or within an organization or student body, whether or not the organization or body is officially recognized by the institution, which is likely to cause physical, psychological, or social harm to any former, current, or prospective community member at USD, regardless of intent or an individual's willingness to participate. Initiations and similar activities should be designed to instill group spirit and affinity, but not at the expense of the individuals involved or the values of USD.

Examples of Unacceptable Behaviors

The following is a non-exhaustive list of examples of unacceptable behavior and forms of hazing, even where the conduct may not necessarily constitute a violation of the California Penal Code:

- any form of physically demanding activity (calisthenics, runs, etc.) not part of an organized voluntary athletic contest or not specifically directed toward constructive work;
- paddling, shoving or otherwise striking individuals;
- compelling individuals to wear, carry, or publicly display any article or apparel that is uncomfortable, degrading or physically burdensome;
- depriving an individual of the opportunity for sufficient sleep (six hours continuous sleep per day minimum), decent edible meals, or access to means of maintaining bodily cleanliness;
- activities that interfere with an individual's academic efforts by causing exhaustion, loss of sleep, or loss of reasonable study time, or by preventing an individual from attending class;
- compelling an individual to consume alcohol or drugs;
- compelling an individual to eat or drink foreign or unusual substances or compelling the consumption of undue amounts or odd preparations of food;
- having substances thrown at, poured on, or otherwise applied to the bodies of individuals; or
- morally degrading or humiliating games or any other activities that make an individual the object of amusement, ridicule, or intimidation.
- compelling participation in illegal activities.

III. Examples of Hazing or Examples of Unacceptable Behavior:

The following is a list of examples from each of the three categories. The list is not all inclusive but it provides common examples of hazing that are prohibited by USD policy.

Subtle Hazing

Activities or behaviors that emphasize a power imbalance between new members and other members of the group or team or organization. "Subtle hazing" refers to types of hazing that are often not recognized as harmful behaviors, but happen far more frequently. Subtle hazing typically involves activities or attitudes that breach reasonable standards of mutual respect and place new members on the receiving end of ridicule, embarrassment, and/or humiliation tactics. New members often feel the need to endure subtle hazing to feel like part of the group or team. (Some types of subtle hazing may also be considered harassment hazing).

Some Examples:

- Deception (such as lies, tricks, or dishonesty)
- Assigning demerits
- Demeaning names
- Socially isolating new members
- Silence periods with implied threats for violation

- Line-ups, drills, or tests on meaningless information
- Expecting certain items to always be in one's possession
- Silence periods with implied threats for violation
- Deprivation of privileges granted to other members
- Socially isolating new members
- Name calling
- Requiring new members to perform duties not assigned to other members

Harm to Well-Being

Behaviors that cause emotional anguish or physical discomfort in order to feel like part of the group. Harassment hazing confuses, frustrates, and causes undue stress for new members/rookies. (Some types of harassment hazing can also be considered violent hazing).

Some Examples:

- Verbal abuse
- Threats or implied threats
- Asking new members to wear embarrassing or humiliating attire
- Stunt or skit nights with degrading, crude, or humiliating acts
- Expecting new members/rookies to perform personal service to other members such as carrying books, errands, cooking, cleaning etc
- Sleep deprivation
- Sexual simulations
- Expecting new members/rookies to be deprived of maintaining a normal schedule of bodily cleanliness.
- Be expected to harass others

Violent

Behaviors that have the potential to cause physical and/or emotional, or psychological harm.

Some Examples:

- Forced or coerced alcohol or other drug consumption
- Beating, paddling, or other forms of assault
- Branding
- Forced or coerced ingestion of vile substances or concoctions
- Burning
- Water intoxication
- Expecting abuse or mistreatment of animals
- Public nudity
- Expecting illegal activity

- Bondage
- Abductions/kidnaps
- Exposure to cold weather or extreme heat without appropriate protection

IV. Reporting Hazing Incidents

USD strongly encourages all members of the university community to report information about any incident of Hazing as soon as possible, whether the incident occurred on or off campus, to the Department of Public Safety, Title IX Office, or the Division of Student Affairs, and/or the appropriate local law enforcement agency. Anonymous reports may also be submitted.

In addition, those individuals who have been informed by the Department of Public Safety that they are "Campus Security Authorities" (CSAs) under the Jeanne Clery Campus Safety Act ("Clery Act") are legally required to report such incidents to the Department of Public Safety.

Any current student, faculty, administrator, or staff member of the University of San Diego or non-USD affiliates/community members may file a complaint against any community member alleging a violation of campus policies regarding hazing.

To ensure the safety and well-being of our community, incidents can be reported through multiple channels:

- The USD Department of Public Safety (DPS)
  - Anonymous Reporting Form: https://usd.tfaforms.net/218154
- The Office of Student Affairs
  - Email: studentaffairs@sandiego.edu
- The USD Title IX Office
  - Email: titleix@sandiego.edu
- Anonymous online reporting platform
  - EthicsPoint
  - RealResponse
- Any University official, faculty, or staff member, many of whom are "Campus Security Authorities" (CSAs) under the Jeanne Clery Campus Safety Act ("Clery Act")

USD is committed to protect individuals who report hazing from retaliation, and all reports will be taken seriously, investigated thoroughly, and treated with confidentiality where possible. In addition to the actionable reporting options previously outlined, the university has several confidential resources through the wellness and ministry area: please refer to this site for a list of confidential resources.

V. Investigation Process

When a report of hazing is made, the University will initiate an investigation to assess the situation, gather relevant information, and determine whether any violations of the hazing policy have occurred. The investigation will typically involve the following steps:

1. Receipt of Report: A hazing report will be documented and assigned to the appropriate investigator.

2. Preliminary Review: A University representative, often from the Division of Student Affairs or the Department of Public Safety, will conduct an initial review of the claim.

3. Investigation: A formal investigation will be conducted, gathering statements from witnesses, involved individuals, and any other relevant information.

4. Outcome Determination: Based on the findings, the case will be referred to the Office of Ethical Development and Restorative Practices for resolution, or Human Resources for staff/faculty.

VI. Adjudication of Hazing Cases

Cases of hazing pertaining to students will be adjudicated by the Office of Ethical Development and Restorative Practices or a designated body, such as a Hearing Board, depending on the severity of the incident. Cases of hazing pertaining to staff or faculty will be managed by Human Resources. The University will ensure that these proceedings are fair, impartial, and conducted in alignment with USD's campus policies. Community members found responsible for hazing will face disciplinary actions, which may include suspension, expulsion, or other sanctions as determined by the hearing body.

VII. Applicable Laws Related to Hazing

USD is committed to upholding the law and ensuring the safety of its students. In addition to our internal policies, the following laws apply to hazing incidents within USD's jurisdiction:

- **California State Law:** Under California Penal Code § 245, also known as Matt's Law, hazing is considered a criminal offense. Any individual who engages in hazing that causes physical injury may face charges, with penalties including fines, probation, or imprisonment.

- **California State Law:** Under AB 2193, existing law makes it unlawful to engage in hazing, which is defined as a method of initiation or preinitiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury to a former, current, or prospective student of a school, community college, college, university, or other educational institution in the state. Existing law establishes civil liability for hazing participants or the organization if it is involved in the hazing.

- **Stop Campus Hazing Act:** Under H.R. 5646, it is required that each Institution of Higher Education (IHE) disclose hazing incidents that were reported to campus security authorities or local police agencies in its annual security report. The act defines the term hazing to mean any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that (1) is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization (e.g., a club, athletic team, fraternity, or sorority); and (2) causes or creates a risk, above the reasonable risk encountered in the course of participation in the IHE or the organization, of physical or psychological injury.

- Tribal Laws on Hazing: In areas where Tribal law applies, hazing may be subject to specific Tribal laws that prohibit such activities. These laws complement USD's policies, ensuring the safety and respect of all community members.

VIII. Prevention and Awareness Programs

USD is committed to providing research-informed, campus-wide prevention programs that reach students, staff, and faculty. These programs are designed to promote awareness and prevention of hazing before it occurs and to help community members identify and intervene in situations that may lead to hazing.

1. **Primary Prevention Strategies**: Our prevention programs will include:

    - Initial Education via asynchronous methods.
    - In-person education inclusive of bystander intervention training, ethical leadership education, and building group cohesion without hazing.
    - Social Norming Campaign.

2. **Responsibility for Prevention:** Various university departments including the Center for Health and Wellness Promotion, University Athletics, Fraternity & Sorority Life, Student Activities & Involvement, Club Sports, and other relevant

stakeholders, will be responsible for ensuring that primary prevention strategies and programs are implemented throughout the academic year.

3. **Ongoing Education:** The University will also provide annual education and training for students, faculty, and staff on the harms of hazing and the importance of creating an inclusive and respectful community.

I. Conclusion

The University of San Diego is dedicated to creating a community where all members are treated with dignity and respect. Hazing violates these principles and is strictly prohibited. USD will continue to work actively to prevent hazing, hold individuals accountable for their actions, and ensure that our community remains a safe and welcoming place for all students and employees.

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