

F.55 Hazing Policy

Date

7/25

Hazing Policy

Policy Statement

The University of Southern Indiana is committed to fostering an environment where students may participate in activities and organizations without compromising their health, safety, or well-being. The impact of hazing activities can result in irrevocable harm to their victims, victims' families, and the University community. This policy outlines our commitment to preventing hazing, providing resources for reporting incidents, and ensuring accountability in accordance with the Stop Campus Hazing Act (H.R. 5646) and Indiana's Anti-Hazing Law (35-42-2-2.5)

Jurisdiction

The University asserts its jurisdiction over all forms of hazing, regardless of whether such activities occur on or off campus, when the incident;

1. involves any individual who is a current student, student organization member, or prospective member of any university-affiliated group;
2. Occurs in connection with a university-sponsored activity, even, or organization (including athletic teams, fraternities/sororities, academic clubs, and student groups);
3. Has the potential or actual impact on the University community, the safety of its members, or the reputation and mission of the institution.

This Policy applies to behaviors that take place on USI's campus, student organization-sponsored events (whether recognized or not), whether on or off-campus, and may also apply to other off-campus behaviors when the Institutional Equity or the Dean of Students or designee determines that the off-campus conduct affects a University interest.

This policy may be applied to behavior conducted online, via email, or via another electronic medium. Members should also be aware that online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and are not private. These postings can be subject to allegations of conduct violations if evidence of policy violations is posted online. The University does not regularly search for this information, but may take action if and when such information is brought to the attention of University officials.

The Hazing Policy applies to guests of the student organization, and the organization may be held accountable for the misconduct of its guests. Visitors and guests of the University may seek resolution of violations of this Policy committed against them by a student organization, and/or its members.

Hazing

Hazing is defined as 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:

- is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- causes or creates a risk, above the reasonable risk encountered in the course of participation in the University or the organization (such as preparation necessary for participation in an athletic team), of physical or psychological injury, including –
 - whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - causing, coercing, or otherwise inducing another person to perform sexual acts;
 - any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
 - any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

This includes, but is not limited to, activities such as physical abuse, forced consumption of substances, sleep deprivation, and any activity that places another person in reasonable fear of bodily harm.

Policy Definitions

Complainant – an individual who is alleged to be the subject or victim of conduct that could constitute hazing.

Jeanne Clery Campus Safety Act ("Clery Act") – defines several reportable crimes that colleges and universities must track and report. These crimes are generally categorized into criminal offenses, hate crimes, Violence Against Women Act (VAWA) offenses, Stop Campus Hazing Act, and arrests and referrals for disciplinary action.

Respondent – means an individual(s) or organization that has been reported to be the perpetrator of conduct that could constitute Prohibited Conduct under this Policy.

Responsible Employee – are all employees whom the University has classified as Responsible Employees. These persons are not confidential and must immediately report to the Institutional Equity Office all relevant details about an incident of sexual harassment and hazing that involves any USI community member.

Retaliation – overt or covert act of reprisal, interference, restraint, penalty, Discrimination, intimidation, or Harassment against any person or group for reporting or complaining of Discrimination, Harassment and/or Hazing, assisting or participating in the investigation of a complaint of Discrimination, Harassment and/or Hazing, or enforcing University policies with respect to Discrimination, Harassment and/or Hazing.

Sponsored Event – Sponsored events, whether on or off-campus, include, but are not limited to:

- Any event that a student organization registers with the University or otherwise notifies the University that it is sponsoring/hosting
- Any event that meets the criteria of an event that should be registered with the University or that a student organization should have otherwise notified the University
- Any event that the University determines may qualify as a sponsored event based on, but not limited to, the following factors: the nature of the event, the number of RSO or student organization members in attendance at the event, the level of organization/advertising undertaken by members of a student organization, etc.

Student Organization - an organization at the University (such as a club, society, association, varsity or junior varsity team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the University, whether or not the organization is established or recognized by the University of Southern Indiana.

Student Organization Representative - The University will generally direct communication to the student on file with the Center for Campus Life Office, as the elected/appointed leader of the organization (i.e., president or team captain). However, the organization may choose any student member to serve as the official representative of the organization at any time during the process. If the individual designated is no longer eligible to serve in that role (e.g. the student withdraws from the University or is no longer a member of the organization) or if the organization dissolves prior to or during the investigation/adjudication process as listed in the Procedures, the University may designate a organizational representative of their choosing.

Title IX Coordinator and Director of Institutional Equity - the official designated by the University to ensure compliance with the Stop Campus Hazing Act and the University's Hazing Policy.

Witness - anyone with relevant information about the incident. Character witnesses who do not have relevant information about the incident are not considered witnesses.

Reporting Hazing

Individuals who believe they have been subjected to hazing or have witnessed hazing are encouraged to report the incident(s) promptly. While there is no timeline for reporting violations of the Hazing Policy, the longer someone waits to report an offense, the more difficult it may become for USI officials to obtain information and witness statements and to make determinations regarding alleged violations.

Though anonymous complaints are permitted, doing so may limit the University's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Institutional Equity Office and/or to Public Safety.

Reporting to Law Enforcement

The University encourages any student or employee who has been the target of a criminal offense described under the Clery Act are encouraged to report such incidents to Public Safety and/or Law Enforcement. Those in Public Safety or the Institutional Equity office can assist the Complainant in contacting the appropriate law enforcement officials and in working with these officials to pursue criminal charges against the Respondent. Complainants also have the option to decline to notify law enforcement authorities.

Please note that reporting options are not mutually exclusive; both internal (University) and external (Law Enforcement) reporting options may be pursued at the same time. The local law enforcement office with jurisdiction over the University's geographic location is the Vanderburgh County Sheriff's Office. Allegations of criminal misconduct occurring within the Evansville city limits can be reported to the Evansville Police Department. Additionally, the Indiana State Police (ISP) has statewide jurisdiction.

USI Public Safety (Available for Emergency or After-Hours Reporting)

Fitness and Wellness Center, RFW 170

From your cell phone or outside line: 812-492-7777

From campus phones: Ext 7777

Vanderburgh County Sheriff's Office Operation Center

5607 Highway 41 North

Evansville, IN 47711

Non-emergency telephone: 812-421-6201

Emergency telephone: 911

Evansville Police Department

15 Northwest Martin Luther King Jr. Boulevard Evansville, IN 47708

Non-emergency telephone: 812- 436-7896

Emergency telephone: 911

Indiana State Police (ISP) District 35 Police Post

19411 Highway 41 North

Evansville, IN 47725

Telephone: 812-867-2079 or 800-852-3970

While not required, the University strongly encourages anyone who becomes aware of behavior that may constitute a crime to report the incident to local law enforcement. However, **Campus Security Authorities (CSAs)** must report certain crimes reported to them through the appropriate reporting structure. The University can provide support, resources, and assistance to those who do so. Regarding the involvement of law enforcement in matters involving Sexual Harassment, the Complainant has several options, including to: (1) notify law enforcement authorities; (2) be assisted by campus authorities in notifying law enforcement authorities if the Complainant chooses; or (3) decline to notify law enforcement authorities. The University will comply with the Complainant's request for assistance in notifying law enforcement in these matters to the extent legally permitted. The Complainant's choice to report to law enforcement will not impact the implementation of supportive measures if applicable.

Protective orders and peace orders may be sought through the court system. Any interested in a mutual no-contact order at USI may contact the Public Safety, Dean of Students, or the Institutional Equity Office.

Reports of violations under this Policy may also constitute violations of state and local law. University officials are required to document reports of sexual harassment and hazing for Clery Act reporting purposes. There will be no personally identifiable information about the Complainant shared in that report. If the University is required to notify the community of the incident, including recording the incident in the Daily Crime Log or through the issuance of a Timely Warning Notice, identifying information will not be included to the extent permissible by law.

In certain instances, the University may need to report potential criminal misconduct to law enforcement authorities even when the Complainant has decided not to do so. Such circumstances include those in which there is clear and imminent danger or risk to the Complainant and/or the University community, in which a weapon was involved with the incident, child abuse, or in which the allegations involve sexual harassment of a Complainant under the age of consent or hazing in violation of State law. The necessity to report an incident to law enforcement will be shared with the Complainant.

The University's Resolution Processes and the legal system work independently from one another, and the University will proceed with its process as applicable, regardless of action or inaction taken by outside authorities. If a law enforcement investigation is initiated, the University may pause its procedures briefly at the request of law enforcement to facilitate their initial evidence gathering. Decisions made or sanctions imposed through the Formal Complaint Resolution Process are not subject to change if criminal or civil charges arising from the same misconduct are dismissed, reduced, or rejected in favor of or against the Respondent.

Mandatory Reporting

The University of Southern Indiana is committed to taking appropriate measures to ensure the safety and well-being of children/minors [under Indiana law, a child is anyone who is **not yet 18** years of age], participating in University-related activities and to report instances of suspected or known child abuse or neglect as required by law.

If you suspect child abuse or neglect of a minor, please refer to the **Child Protection Policy (F.50)** and contact the following offices:

Title/Office	Telephone	Email/Webpage
Vanderburgh County Sheriff Department	812-421-6200	https://vanderburgh.in.gov/
Indiana Department of Child Services	800-800-5556	https://www.in.gov/

Medical Assistance

Complainants are encouraged to seek medical assistance in any instance where physical or sexual assault is being alleged. Public Safety can help facilitate transportation to Deaconess Midtown Hospital, designated as one of the city's sexual assault and domestic violence treatment centers. Deaconess Midtown Hospital has trained nurses who perform the Sexual Assault Nursing Exam (SANE) and will provide victim services, including treatment of injuries and steps to address concerns of pregnancy (if applicable) and/or sexually transmitted infections.

- **Deaconess Midtown Hospital**

600 Mary St
Evansville IN 47710
812-450-5000

Students may also schedule appointments at the Student Health Center. While the SANE program is not available at Student Health, they can provide non-emergency and on-going medical assistance from a healthcare provider on campus. All appointments are confidential

- **University Health Center**

Lower level Health Professions Building
Room HP 00091
812-464-1862 (office)

It is recommended that the Complainant not take a shower or wash or discard clothing they were wearing at the time of the assault. All clothing (including underwear) should be put into a paper bag and brought to the hospital. Additionally, preservation of any related or electronic communications (e.g., pictures, videos, texts, social media posts, etc.) if recommended.

In instances of a sexual assault, the Complainant does not have to decide whether or not to file criminal charges before obtaining a forensic exam. The exam is free, and the evidence will be kept in a secured locker indefinitely. There is no statute of limitations on filing a criminal complaint. If a Complainant wishes to remain anonymous, she/he can have the exam listed as a Jane Doe/John Doe for confidentiality. Having a forensic exam is an important step to preserve evidence for a criminal offense if criminal charges are filed.

Confidential Reporting – Confidential Employees

If a student has experienced sexual harassment but does not want to report it to a University official, the student may meet with a confidential resource. All of the persons and organizations listed below are confidential for purposes of reporting sexual harassment. Reports made to a licensed counselor or a treating health care provider are confidential and will not be reported to University officials without the student's permission unless an imminent threat exists. Confidential resources may be required to report statistical information, without personally identifiable data, for Clery Act reporting.

- **USI Deaconess Clinic**

Fitness and Wellness Center (RFW)
RFW 260 (student waiting room)
RFW 261 (faculty/staff waiting room)
Telephone 812-465-1250

- **USI Counseling Center (CAPS_**

Fitness and Wellness Center (RFW), room 202
Telephone: 812-464-1867

- **Employee Assistance Program (EAP)**

Timely Care
<https://www.usi.edu/hr/benefits/employee-assistance>

- **Albion Fellows Bacon Center**
P.O. Box 3164
Evansville, IN 47731
Telephone for Domestic Violence: 812-422-5622
Telephone for Sexual Assault: 812-424-7273
Toll-free: 800-339-7752
- **YWCA Evansville**
118 Vine Street
Evansville, IN 47708
Telephone: 812-422-1191 or 866-367-9922
- **Holly's House**
750 North Park Drive
Evansville, IN 47710
Telephone: 812-437-7233
- **Lampion Center**
655 South Hebron Avenue
Evansville, IN 47714
Telephone: 812-471-1776
- **Southwestern (Behavioral Health)**
415 Mulberry Street
Evansville, IN 47713
 - Telephone: 812-423-7791
 - 24 Hour Suicide Hotline: 812-422-1100
- National confidential resources (available 24/7) include, but are not limited to: **RAINN (Rape, Abuse & Incest National Network)** which operates the **National Sexual Assault Hotline** at 1-800-656-HOPE (4673) and an online chat with a trained staff member; and **National Domestic Violence Hotline** at 1-800-799-7233 or TTY at 1-800-787-3224 with an online chat option.

Reporting to Institutional Equity

Anyone who believes they have been subjected to or witnessed hazing is encouraged to report these incidents to the Director of Institutional Equity. Additionally, be aware that most USI employees are Responsible Employees and must report known incidents of sexual harassment and/or hazing to the Institutional Equity Office

Reports may also be made directly to the Title IX Coordinator and Director of Institutional Equity.

- **Title IX Coordinator and Director of Institutional Equity for the University:**
Chelsea Givens
Wright Administration Building, Forum Wing, suite 171
8600 University Boulevard
Evansville, Indiana 47712
812-464-1703
Title.IX@USI.edu or ccgivens@usi.edu

Online and Anonymous Reporting Options

Reports may also be made anonymously or identified using the methods outlined below. It should be noted that the University's ability to investigate or act upon anonymous reports may be limited. Anonymous reports that provide sufficient information to constitute certain criminal offenses will be reported without personally identifiable information for purposes of Clery Act reporting purposes.

Reports related to discrimination and harassment, and/or hazing, may be submitted through the reporting options below, but do not constitute a Formal Complaint under this Policy.

- **Discrimination and Harassment Incident Form** (these reports can also be submitted anonymously). Found here: https://cm.maxient.com/reportingform.php?UnivofSouthernIndiana&layout_id=1

Additional Reporting Options

Filing a complaint under this Policy does not preclude the party from filing a charge of hazing with the Department of Education. To learn more about your rights and options to file with the U.S. Department of Education, visit <https://www.ed.gov/>.

Investigation and Accountability

Upon receiving a report of hazing, the University will assess the allegations and, if warranted, conduct a prompt, fair, and impartial investigation under the **Procedures for Resolving Complaints of Discrimination and Harassment (F.4)**

Violations of this Policy

Any individual, group of individuals, or organization found to have violated this policy will be subject to disciplinary action, up to and including termination of employment or expulsion from the University. Faculty and staff who are determined to have violated this policy also may be held personally liable for any damages, settlement costs or expenses, including attorney fees incurred by the University.

False Allegations, Statements, or Evidence

This policy may not be used to bring knowingly false or malicious charges against any faculty, staff, student or Recognized Student Organizations, including fraternities or sororities. Disciplinary action will be taken against any person or group found to have brought a charge of Discrimination, Harassment and/or Hazing in bad faith or any person who, in bad faith, is found to have encouraged another person or group to bring such a charge. In addition, individuals who knowingly provide false statements or evidence, or who deliberately mislead a University official, or designee, conducting an investigation under this policy may be subject to discipline under this policy or another University policy or process.

Additionally, any person directly or indirectly abusing or interfering with a University investigation or adjudication process by engaging in one or more of the following: falsifying, distorting, or misrepresenting information or colluding to do the same in the investigation/adjudication process; destroying or concealing information; attempting to discourage individual's proper participation in the investigation/adjudication process; harassing or intimidating (verbally or physically) any person involved in the University process before, during, and/or following proceedings (including up to, throughout, and after any outcome); unauthorized disclosure of a reporting party's identity information, failing to comply with a temporary measure or other sanction; distributing or otherwise publicizing materials created and produced during the investigation as a part of this policy or corresponding procedures, except as required by law or as expressly permitted by University; or influencing or attempting to influence another person to commit abuse of the process.

Prohibition of Retaliation

The University prohibits retaliation against any individual who makes a report, testifies, assists, participates, or refuses to participate in any manner in an investigation, proceeding, or hearing under this Policy. Specifically, no person may intimidate, threaten, coerce, harass, or discriminate against any individual for the purpose of interfering

with any right or privilege secured by Title VI, VII, Title IX, or this Policy, or because the individual has made a report or complaint, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or adjudication proceedings under Title VI, VII, Title IX or this Policy.

Allegations of retaliation against students are handled in accordance with the normal rules and procedures of the student conduct process, and students alleged to have violated this policy may be charged with 16.7.A Interfering with the discipline procedures or outcomes or 16.7.B. Intimidation or retaliation. Any employee who is alleged to have violated this provision may also be subject to disciplinary action under the Whistleblower Policy.

Those found to have violated this policy’s prohibition on retaliation will be subject to disciplinary action, up to and including termination of employment for employees and expulsion for students. Any person who believes that someone has been subjected to retaliation should promptly contact the Director of Institutional Equity.

Prevention and Education

To prevent hazing, the University of Southern Indiana will implement a comprehensive, research-informed prevention program that includes:

- Education on the definition of hazing and its consequences;
- Training on how to report hazing incidents;
- Information on applicable local, state, and tribal laws regarding hazing;
- Skill-building for bystander intervention;
- Ethical leadership development; and
- Strategies for building group cohesion without hazing.

Required training will be provided to all students, faculty, and staff on an annual basis. Additional educational opportunities will be provided in-person. To request additional training or support, please contact the Institutional Equity Office.

Clery Compliance

In compliance with the Jeanne Clery Campus Safety Act, the University of Southern Indiana will include hazing incident(s) reported to campus security authorities or local law enforcement in the **Annual Security Report** (ASR).

Campus Hazing Transparency Report

A campus Hazing Transparency Report will be published bi-annually on USI's [insert site], summarizing findings concerning any student organization found to be in violation of the institution's standards of conduct related to hazing.

Contact Information

Policy Clarification, Discrimination or Harassment Complaints, and Written Affirmative Action Programs

Title/Office	Telephone	Email/Webpage
Institutional Equity	812-464-1703	https://www.usi.edu/institutional-equity/
Government and Legal Affairs	812-464-1849	https://www.usi.edu/government-and-legal-affairs/

Academic Adjustments and Reasonable Accommodations

Title/Office	Telephone	Email/Webpage
Disability Resources	812-464-1961	https://www.usi.edu/disabilities/
ADA Coordinator	812-465-1701	https://www.usi.edu/hr/americans-with-disabilities-act
Institutional Equity Office	812-464-1703	https://www.usi.edu/institutional-equity/

Related Documents, Forms and Tools

Institutional Equity Office

- [Sexual Harassment Policy \(F.1\)](#)
- [Amorous Relationship Policy \(F.2\)](#)
- [Equal Opportunity and Non-Discrimination Policy \(F.3\)](#)
- [Discrimination and Harassment Incident Reporting Form](#)
- [Procedures for Resolving Complaints of Discrimination and Harassment \(F.4\)](#)

Regulations Governing Student Conduct:

Dean of Students Office: <https://www.usi.edu/dean-of-students>

Websites for governing bodies with oversight for applicable laws and regulations:

- [Evansville Police Department](#): <https://evansvillepolice.com/>
- [Vanderburgh County Sheriff's Office](#): vanderburghsheriff.org
- [Indiana State Police](#): <https://www.in.gov/isp/>
- [U.S. Department of Education Office for Civil Rights](#): www2.ed.gov/about/offices/list/ocr/index.html