

Point Park University Anti Hazing Policy

Point Park University is committed to maintaining a safe environment where all members of the community have equitable access to opportunities and resources. Hazing undermines these values and is strictly prohibited. Hazing at Point Park University is considered a violation of Point Park's Anti-Hazing Policy and Student Code of Conduct.

This policy applies to all students, student organizations, teams, or other persons associated with student organizations or teams, occurring on or off campus, in person, or online.

The University will investigate all reports of hazing and take appropriate action. Those persons found responsible for hazing under this policy may face disciplinary action. Additionally, hazing activities may result in criminal prosecution under applicable laws including The Timothy J. Piazza Antihazing Law, 18 Pa. C.S. § 2801, *et. seq.*

I. DEFINITIONS

For the purpose of this Policy:

1. Hazing is defined as intentionally, knowingly, or recklessly (whether individually or in concert with other persons), for the purpose of initiating, admitting or affiliating a student into or with an organization, or for the purpose of continuing or enhancing a student's membership or status in an organization, causing, coercing, or forcing a student to do any of the following:
 - a. Violate Federal or State criminal law;
 - b. Consume any food, liquid, alcoholic liquid, drug, or other substance which endangers the mental or physical health or safety of a student;
 - c. Engage in physical activity, including whipping, beating, branding, calisthenics, or exposure to the elements;
 - d. Engage in mental activity, including sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment which endangers the mental or physical health or safety of a student;
 - e. Engage in sexual activity, which endangers the mental or physical health or safety of a student;
 - f. Endure any other activity that creates a reasonable likelihood of bodily injury to the student.
2. Aggravated Hazing is defined as conduct that would amount to hazing, but that results in serious bodily injury or death. This may include instances where the person doing the hazing acts with reckless indifference to the health and safety of the student or the person doing the hazing causes, coerces, or forces the consumption of an alcoholic liquid or drug by the student.

3. Organizational Hazing is defined as when a registered student organization (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) intentionally, knowingly, or recklessly promotes or facilitates a violation of hazing or aggravated hazing. The individual members of a student organization found to have engaged in student organizational hazing may be charged with hazing violations as individuals.

II. HAZING ADJUDICATION PROCESS

1. Reporting Procedures

Point Park University encourages individuals who witness or experience hazing to report the incident as soon as possible. All reports will be investigated in a timely manner.

2. How to Report Hazing

Individuals who believe they have experienced or witnessed hazing should report the incident through one of the following channels:

- Online Reporting Form
 - A confidential online reporting form is available on the University's website under the Office of Student Conduct Page, allowing individuals to submit their concerns anonymously or with their identity disclosed.
- Email Office of Title IX and Dispute Resolution at oci@pointpark.edu.
- Email the Student Conduct Office at studentconduct@pointpark.edu.

Although Point Park encourages students and others to make formal reports, including providing contact information for the reporter, you may file an anonymous report. It is important to note that anonymous reports limit Point Park's ability to respond to and investigate the report.

3. Confidentiality and Privacy

All reports will be handled with the utmost confidentiality to the extent possible, consistent with the University's obligation to investigate and take appropriate action. The University will endeavor to protect the privacy of individuals involved in the reporting process, but the investigation may require disclosing certain information to relevant parties as necessary for resolution.

4. Advisor/Support Person and Supportive Measures

Both the alleged victims of hazing and the student accused of committing a hazing violation may choose an advisor of their choice to accompany them during all meetings, interviews, and hearings related to an alleged hazing violation. An advisor is any individual who provides support, guidance, or advice. This advisor may be a parent, a community advocate, or any other person (including an attorney). The advisor's role is purely supportive; the advisor may not

speak on behalf of a student or otherwise directly participate in the investigation process. In keeping with the University's desire to resolve hazing complaints in a timely manner, the University reserves the right to proceed with any meeting regardless of the availability of the Students advisor.

In addition, both the victims of hazing and the students (or members of a student organization) accused of committing a hazing violation are entitled to supportive measures, such as counseling, support services, and other resources to assist with their physical, emotional, and academic well-being. Supportive measures are available if requested and if they are reasonably available. The University will maintain the confidentiality of the supportive measures, provided that confidentiality does not impair the University's ability to provide those supportive measures. Language assistance is available upon request made to the Director of Student Conduct.

The following resources are available to University students:

University Counseling Center
412-392-3977
counseling@pointpark.edu

Accessibility Services
412-392-4760
accessibility@pointpark.edu

Resolve
1-888-796-8226

Student Assistance Program
1-833-483-3982

5. Investigative Process

- a. All incident reports will be received and investigated by the Director of Student Conduct.
- b. Based on that review/investigation, the Director of Student Conduct will make the decision regarding what policies were allegedly violated, if any, and the process, if any, that the student can follow to resolve the issue.
- c. Point Park University can take administrative action based on an incident report by issuing warning letters to any university student. These letters will not be considered a part of one's official student conduct file. However, these letters will be considered as a part of the administrative record to be considered in any future incidents involving the student. Administrative files are not shared with outside agencies when student conduct files are requested unless in conjunction with local, state, or federal laws.
- d. For more serious incidents, students will be charged and will receive a letter that includes:
 - i. The policies in which they are being charged with violating
 - ii. The date in which the alleged violation occurred

- iii. The time, date, and location to report to resolve the student conduct matter, generally through a student conduct meeting.
- e. The Office of Student Conduct reserves the right to substitute a student conduct meeting with a summary judgment. Should a student receive a summary judgment for an incident in which they were involved, the student has the right to accept the summary judgment or request a student conduct meeting.
- f. In situations where the accused student is suspected of violating the Code of Student Conduct and deemed to be a clear and present danger to the campus community, an individual, or to him/herself, the Vice President of Student Affairs or designee may impose an interim suspension that occurs immediately, not to exceed 21 business days, while a formalized hearing is organized. Imposition of an interim suspension is not the equivalent of a finding of responsibility. Students will not be able to attend class, reside in the residence halls, or be on any property owned or leased by the University during an interim suspension. During an interim suspension, the student is also banned from all University sponsored events, on or off campus. You have the right to contest this suspension within 48 hours of notification. To contest the Interim Suspension, you must submit in writing a letter to the Vice President of Student Affairs explaining why the Interim Suspension should not be upheld.

Student Conduct Meeting

A student conduct meeting will consist of a formal, non-adversarial meeting between the accused student and the Director of Student Conduct, or their designee. Charged students may request the Office of Student Conduct call appropriate and relevant witnesses on their behalf. Charged students may also request an informational meeting prior to the student conduct meeting to ask any questions, go over the charges, and review the process. Accused students who fail to appear after written notice (including email) has been given will be deemed not to have contested the allegations against them; however, a student may elect not to speak on his or her own behalf. Students who fail to be present for their student conduct meeting will waive their right to appeal.

Procedural Guidelines Applicable to Charged Students/Organizations in Student Conduct Meetings

- Written notice of the specific charges and date of the scheduled meeting provided at least three days prior to the meeting.
- Reasonable access to the case file at least three days prior to, and during, the meeting. A casefile is part of the student's education record under the Family Educational Rights and Privacy Act of 1974 (FERPA). The personal notes of University staff members are not included in the case file. The case file will be retained in the Office of Student Conduct. Students should schedule an informational meeting prior to their student conduct meeting with the Office of Student Conduct to review his or her file.
- Prior to the student conduct meeting, the charged student may challenge the student conduct officer on the grounds of personal bias. The Vice President of Student Affairs will

review the case and decide if a new student conduct officer will be assigned.

- Accused students who fail to appear after written notice, which includes email notice, will be deemed not to have contested the allegations against them; however, a student may elect not to speak on his or her own behalf. In such cases, the student conduct meeting officer's decision will be based solely on witness accounts and other information presented during the proceeding.
- Student conduct meeting will be closed to the public.
- The student conduct officer will exercise control over the proceedings to maintain proper decorum and achieve an orderly completion of the meeting. Anyone disrupting the meeting, including the charged student, the support person, or witnesses, may be removed or excluded from the meeting by the student conduct officer, the Director of Student Conduct, or designee. Such disruption is a violation of this Code, and a person may be charged following his or her disruption and removal.
- Only the immediate parties and the charged student's support person, if applicable, to the alleged violation may be present throughout the hearing. Accused students have the right to a support person of his/her choosing, but this person has no role in the student conduct meeting and may not speak or address the student conduct officer for any reason.
- The opportunity to respond to the evidence and call appropriate and relevant witnesses. It is expected that all witnesses will provide information that is true and correct. Any student who knowingly provides false information during a student conduct meeting will be charged.
- Statements may be accepted, or other accommodations made, at the discretion of the Director of Student Conduct or designee in lieu of live testimony if a witness is out of state or otherwise determined to be unavailable. These arrangements are to be made prior to the day of the student conduct meeting.
- Audio and video recording of student conduct meetings by anyone are prohibited.
- The student conduct officer will question all parties in an effort to establish the factual record. On disputed points, a preponderance of the evidence available, fairly considered, will decide the facts. A preponderance of the evidence means that it is more likely than not that a fact is true or an event occurred.
- The charged student may question all witnesses.
- Reports of the student conduct meeting shall include a finding of fact, mitigating and aggravating circumstances, a determination of whether or not the charged student is in violation of the alleged misconduct, and possible sanctions. If the student conduct officer determines the charged student to be in violation, the Vice President of Student Affairs, Director of Student Conduct, or designee will review the findings and will impose all

sanctions. Sanctions may be appealed based on criteria set by the University.

- The accused student will receive, in writing, within a reasonable amount of time, the decision of the student conduct officer and the sanction(s) determined.

Appeals

Appeals must be submitted in writing to the Office of Student Conduct no later than 12:00 pm (5) five business days after receipt of the findings and sanctions letter. Failure to participate in and/or absence from a student conduct meeting may limit one's ability to appeal; any exceptions are made at the discretion of the Director of Student Conduct. The appeal content must be based upon (a) new, relevant information not previously presented at the student conduct meeting that would significantly alter the finding of fact upon which the sanctions are based, (b) a procedural error occurred that significantly impacted the outcome of the hearing, or (c) the sanctions were not consistent with the nature of the offense.

- *Low Level Appeals*

The Director of Student Conduct will refer all low level request(s) to the University's designated Appeal Review Officer, appointed by the Vice President of Student Affairs. A low level request would be any sanction not including suspension or expulsion.

The Appeal Review Officer will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. This person may consult with the Director of Student Conduct on any procedural or substantive questions that arise. If the Appeals Review Officer finds that the appeal request does not meet the limited grounds, a letter will be sent to the student notifying them of the denial.

If the appeal is not timely or substantively eligible, the original finding and sanction will stand and the decision is final. If the appeal has standing, the Appeal Review Officer determines whether to refer the appeal to the hearing appeals panel or to remand it to the original decision-maker(s), typically within 3-5 business days. Efforts will be made to use remand whenever possible, with clear instructions for reconsideration only in light of the granted appeal grounds. Where the original decision-maker may be unduly biased by a procedural error, a new panel will be constituted to reconsider the matter, which can in turn be appealed, once. Where new evidence is presented or the sanction is challenged, the Appeal Review Officer will determine if the matter should be returned to the original decision-maker for reconsideration or if it should be reviewed by the hearing appeals panel with instruction on the parameters regarding institutional consistency and any applicable legal guidelines. In review, the original finding and sanction are presumed to have been decided reasonably and appropriately, thus the burden is on the appealing party(ies) to show clear error. The hearing appeals panel must limit its review to the challenges presented. Full re-hearings by the hearings panel are not permitted, and the panel will only consider new evidence, or the possibility of a procedural error when making their ruling. Decisions made by the Appeal Review Officer, or the hearing appeals panel, cannot be appealed.

Appeals are not intended to be full re-hearings of the complaint (de novo). In most cases,

appeals are confined to a review of the written documentation or record of the original meeting, and pertinent documentation regarding the grounds for appeal; Witnesses may be called if necessary. Appeals are also not an opportunity for appeals panelists to substitute their judgment for that of the original decision-maker merely because they disagree with the finding and/or sanctions. Appeal decisions are to be deferential to the original decision-maker, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so.

On reconsideration, the hearing appeals panel or original decision-maker may affirm or change the findings and/or sanctions of the original hearing body according to the permissible grounds. Procedural errors should be corrected, new evidence should be considered, and sanctions should be proportionate to the severity of the violation and the student's cumulative conduct record.

All decisions of the hearing appeals panel are to be made within ten (10) days of submission to the panel and are final, as are any decisions made by the original hearing body and Director of Student Conduct as the result of reconsideration consistent with instructions from the Appeal Review Officer.

- *The Hearing Appeals Panel*

Three-member hearing appeals panels are drawn from a pool of panelists, with the following requirements to serve:

- They have been properly trained in appeals procedures.
- They were not involved in the original investigation in any way.
- They were not involved in the original sanction process in any way.

The Appeal Review Officer will have final authority to approve all those serving on the panel. The parties may challenge any panelist on the basis of potential bias, and any panelist who cannot render an impartial decision must recuse him/herself. The Appeal Review Officer will make the determination as to the validity of any challenge or need for recusal. In the event of a recusal from the panel, the Appeal Review Officer will solicit a replacement from the pool of panelists.

The Director of Student Conduct or designee serves as the non-voting advisor to the panel, with responsibility for training the panel, conducting preliminary investigations, and ensuring a fair process for the complainant and responding student.

The presumptive stance of the University is that all decisions made and sanctions imposed by the original decision-maker are to be implemented during the appellate process. At the discretion of the Director of Student Conduct, implementation of sanctions may be stayed pending review only in extremely exigent circumstances. This does not include proximity to graduation, end of term, or exams. Instead, it refers to an overwhelming likelihood, as determined by the Appeal Review Officer and Director of Student Conduct, in consultation, that the appeal would result in a reversal of the finding and/or substantial modification of the sanctions.

- *High Level Appeals*

The Director of Student Conduct will refer all high level requests to the Vice President of Student Affairs. A high level request would be sanctions involving suspension or expulsion.

The Vice President of Student Affairs will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. This person may consult with the Director of Student Conduct on any procedural or substantive questions that arise. If the Vice President of Student Affairs finds the appeal request does not meet the limited grounds, or is not timely, a letter will be sent to the student notifying them of the denial.

All decisions of the Vice President of Student Affairs will be made within ten (10) days of submission and are final, as are any decisions made by the original hearing body and Director of Student Conduct as a result of reconsideration consistent with instructions from the Vice President of Student Affairs.

The presumptive stance of the University is that all decisions made and sanctions imposed by the original decision-maker are to be implemented during the appellate process. At the discretion of the Director of Student Conduct, implementation of sanctions may be stayed pending review only in extremely exigent circumstances. This does not include proximity to graduation, end of term, or exams. Instead, it refers to an overwhelming likelihood, as determined by the Vice President of Student Affairs and Director of Student Conduct, in consultation, that the appeal would result in a reversal of the finding and/or substantial modification of the sanctions.

6. Sanctions

The sanctions described in the University's Student Code of Conduct shall apply where an individual or organization has been found to have engaged in hazing. Sanctions issued will be based upon the particular facts and circumstances of each case and may include expulsion from the University or suspension of a student organization. Sanctions include, but are not limited to:

- Warning Letter
- Required Prevention Education
- Removal from a student organization or program
- Restrictions on access to certain University facilities, such as a residence hall
- No contact order
- Restrictions on future class scheduling to avoid classes with a complainant
- Limits on employment at the University
- Suspension, or
- Expulsion

7. Prohibition of Retaliation

Point Park University strictly prohibits retaliation against any individual who reports a violation of the hazing policy, participates in an investigation, or supports someone involved in the reporting process. Retaliation undermines the integrity of the university's commitment to safety and accountability and may result in disciplinary action.

Retaliation includes, but is not limited to:

- Threats, intimidation, or harassment
- Adverse academic, professional, or social actions
- Exclusion from activities, events, or group participation
- Attempts to discourage reporting or participation in an investigation

Reporting Retaliation:

Individuals who believe they have experienced retaliation are encouraged to report the incident immediately through the designated reporting channels described in this policy.

Consequences of Retaliation:

- Individuals found responsible for retaliation will be subject to disciplinary action
 - Organizations engaging in retaliation may face sanctions.
- Investigations of retaliation in connection with this Policy will follow the investigative process outlined within this policy.

III. EDUCATION AND PREVENTION

The University will implement a comprehensive, evidence-based hazing prevention program designed to inform and empower students, faculty, and staff to recognize, prevent, and report hazing. Training will be delivered through various methods, including but not limited to:

1. **Online Asynchronous Modules:** Self-paced courses accessible at any time, allowing participants to engage with interactive content and assessments at their convenience.
2. **Resource Sharing:** Distribution of educational materials such as brochures, videos, and articles that highlight the dangers of hazing and promote a culture of respect and safety.
3. **Webinars and Virtual Seminars:** Live or recorded online sessions that offer flexibility and can reach a broad audience, providing expert insights and up-to-date information on hazing prevention.

The training will cover the following key topics:

1. **Definition of Hazing:** A clear explanation of what constitutes hazing, including various forms it can take.
2. **Legal and Institutional Policies:** An overview of relevant federal and state laws, as well as university policies regarding hazing.
3. **Recognition of Hazing Behaviors:** Guidance on identifying signs and behaviors associated with hazing activities.
4. **Prevention Strategies:** Evidence-based methods to prevent hazing within groups and organizations.
5. **Reporting Procedures:** Instructions on how to report hazing incidents, including available resources and support services.
6. **Bystander Intervention:** Techniques to safely intervene and prevent hazing when witnessed.

By utilizing a variety of training methods and covering these essential topics, the University ensures that all community members have access to effective and engaging hazing prevention education that meets diverse learning preferences and schedules.

IV. ANTI-HAZING RELATED LAWS AND POLICIES

The University's commitment to preventing hazing is reinforced by adherence to various federal, state, and institutional regulations that collectively promote a safe and respectful educational environment.

Federal Laws

1. **Stop Campus Hazing Act:** Enacted in December 2024, this law mandates that institutions of higher education participating in federal student aid programs report hazing incidents. It also

requires these institutions to compile and disclose statistics on hazing incidents in their Annual Security Reports and publish information related to hazing incidents in a Campus Hazing Transparency Report.

2. **Title IX of the Education Amendments of 1972:** Prohibits discrimination based on sex in any federally funded education program or activity. Sexual harassment, including acts of hazing that are sex-based, constitutes a form of sex discrimination under Title IX.

State Laws

1. **Pennsylvania Anti-Hazing Law (18 Pa. C.S. § 2802)** defines and prohibits hazing activities within the state and outlines legal consequences for individuals and organizations involved in such practices.

V. ADDITIONAL RESOURCES AND SUPPORT

Individuals impacted by hazing have access to a variety of resources for support, guidance, and assistance. The following university and external resources are available.

1. University Counseling Center
Phone: 412-392-3977
Email: counseling@pointpark.edu
Location: 5th floor of Lawrence Hall
2. University Police:
Phone: 412-392-3960, if emergency please call 911
Email: pointparkpolice@pointpark.edu
Location: 3rd floor of Frontier Hall
3. Office of Student Affairs
412-392-3840
studentaffairs@pointpark.edu
Location: 7th floor of the Student Center
4. University Advising Center
Phone: 412-392-8152
Email: uac@pointpark.edu
Location: 5th floor of West Penn
5. Office of Title IX and Dispute Resolution
Phone: 412-392-8158
Email: oci@pointpark.edu
Location: 104 Student Center
6. Office of Inclusivity and Belonging
Phone: 412-392-4771
Email: inclusivity@pointpark.edu

Location: 715 Student Center