



PimaCountyCommunityCollegeDistrict Administrative Procedure

<i>AP Title:</i>	Hazing Prevention and Response
<i>AP Number:</i>	AP 11.02.04
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<i>Sponsoring Unit/Department:</i>	Dean of Students, Human Resources, Chief of Police
<i>Policy Title(s) & No(s).</i>	Institutional Security and Safety, BP 11.02
<i>Legal Reference:</i>	A.R.S. § 15-2301 Hazing Prevention Policies; A.R.S. § 13-1215 Hazing; A.R.S. § 13-1216 Hazing Planning or Organizing; 20 USC 1902(f) Clery and Stop Campus Hazing Acts
<i>Cross Reference:</i>	Discrimination, Harassment, and Retaliation – Prevention and Complaint Procedures, AP 2.03.01; Institutional Security and Safety, BP 11.01; Sexual Violence, AP 11.02.01

PURPOSE

Pima Community College promotes a safe and educationally productive learning and living environment. Hazing is prohibited by state law and College policy. Students, faculty, and staff must work to prevent Hazing within the scope of their individual authority and must report suspected Hazing incidents to College Police, the Dean of Students, Office of Dispute Resources, or Human Resources. Reports may also be made confidentially through the EthicsPoint Hotline. Situations involving immediate danger to individuals should be reported to the Police by calling 911. Students and Organizations that engage in Hazing are subject to

disciplinary action and sanctions up to and including expulsion. College employees who knowingly permit, authorize, or condone Hazing are subject to corrective action up to and including termination. Consent or acquiesce to Hazing is not a defense. College Police or other appropriate law enforcement agencies will investigate Hazing activity that appears to violate Arizona law, and may constitute misdemeanor or felony crimes.

College hazing prevention and awareness programs shall include elements that are research-informed and designed to reach students, staff, and faculty.

SECTION 1: Delegation of Responsibility and Authority

The Chancellor delegates responsibility for the prevention of Hazing by Students and Organizations to the Dean of Students, by Employees to the Chief Human Resources Officer, and by visitors and others to the Chief of Police.

SECTION 2: Definitions

“Hazing” includes “hazing planning or organizing.” It is not a defense to Hazing if the victim or person against whom the hazing was directed, acquiesced or consented, whether implied or expressed, to the conduct, or if the conduct was traditional and customary. Hazing is defined in Arizona law as follows:

1. A person commits hazing by intentionally, knowingly or recklessly, for the purpose of pre-initiation activities, pledging, initiating, holding office, admitting or affiliating a minor or student into or with an organization or for the purpose of continuing, reinstating or enhancing a minor's or student's membership or status in an organization, causes, coerces or forces a minor or student to engage in or endure any of the following:
 - a. Sexual humiliation or brutality, including forced nudity or an act of sexual penetration, or both.
 - b. Conduct or conditions, including physical or psychological tactics, that are reasonably calculated to cause severe mental distress to the minor or student, including activities that are reasonably calculated to cause the minor or student to harm themselves or others.
 - c. The consumption of any food, nonalcoholic liquid, alcoholic liquid, drug or other substance that poses a substantial risk of death, physical injury or emotional harm.

- d. An act of restraint, confinement in a small space or significant sleep deprivation.
 - e. Conduct or conditions that violate a federal or state criminal law and that pose a substantial risk of death or physical injury.
 - f. Physical brutality or any other conduct or conditions that pose a substantial risk of death or physical injury, including whipping, beating, paddling, branding, electric shocking, placing harmful substances on the body, excessive exercise or calisthenics or unhealthy exposure to the elements.
2. A person commits hazing planning or organizing by doing any of the following:
- a. With the intent to promote or aid the commission of hazing, the person agrees with one or more persons that at least one of them or another person will engage in hazing and one of the parties commits an overt act in furtherance of hazing.
 - b. Intentionally or knowingly engages in conduct that would constitute hazing if the attendant circumstances were as the person believes them to be.
 - c. Intentionally or knowingly does anything that, under the circumstances as the person believes them to be, is any step in a course of conduct planned to culminate in committing hazing.
 - d. Intentionally or knowingly engages in conduct that is intended to aid another to commit hazing, although the hazing is not committed or attempted by the other person, if the person's conduct would establish the person's complicity under law and the hazing was committed or attempted by the other person.
3. The definition of hazing does not include:
- a. Customary athletic events, contests or competitions that are sponsored by an educational institution.
 - b. Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program or a legitimate military training program.

"Organization" for purposes of this policy means any official fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, band, spirit group, athletic team or similar group whose members are primarily students at, or former students of, a high school or postsecondary institution, regardless of the nature of membership of a larger public or private organization.

"Student" for purposes of this policy means any person who is enrolled at the College, any person who has been promoted or accepted for enrollment at the College or any person who intends to enroll at or be promoted to the College within the next twelve calendar months. A person who meets the definition of a student for purposes of this policy shall continue to be defined as a student for purposes of this policy until the person graduates, transfers, is promoted or withdraws from the College.

SECTION 3: Policy

A. Prohibition

Hazing is prohibited, whether or not involving a College established or recognized Organization. Soliciting another to engage in Hazing or planning or organizing Hazing is prohibited. Aiding or abetting another person who is engaged in Hazing is prohibited. Students, faculty, and staff who knowingly permit, authorize, or condone Hazing are subject to disciplinary/corrective action and/or sanctions. Interfering with an investigation of Hazing or retaliating against an individual who made a good faith report of Hazing is prohibited. It is not a defense to a violation of this policy if the Hazing victim consented to or acquiesced in the Hazing activity.

B. Duty to Prevent

Students, faculty, and staff shall take reasonable measures within the scope of their individual authority to prevent violations of this policy. Failure to do so shall constitute misconduct subject to disciplinary/corrective action.

C. Duty to Report

Students, faculty, and staff shall report violations or suspected violations of this policy to the appropriate authority. **Dial 911 or 520-206-2700 (College Police) in an emergency** or during non-business hours.

- Violations by Students should be reported to the Dean of Students or College Police (520-206-2700).
- Violations by faculty or staff should be reported to Human Resources (520-206-4624) or College Police in an emergency or to Human Resources.
- Violations by others should be reported to College Police.
- Employees and students may also report confidentially through the EthicsPoint Hotline (1-855-503-8072).
- Confidential reports should include contact information so the College can communicate confidentially through EthicsPoint. It also provides documentation that the reporting party could use later to provide evidence of timely reporting.
- Failure to report violations or suspected violations of this policy may constitute misconduct subject to disciplinary/corrective action.

D. Investigation and Adjudication

Violations of this policy by Students shall be investigated and adjudicated in accordance with the Student Code of Conduct and the College's standard Student disciplinary procedures. Violations of this policy by faculty and staff shall be reviewed in accordance with College policies that govern employee conduct. Officers and members of an Organization may be held individually or collectively responsible for a violation of this policy. The College may pursue disciplinary action or sanctions against members of an Organization in addition to disciplinary action or sanctions implemented by the Organization or its governing body as a result of internal processes.

E. Sanctions

When determining disciplinary/corrective consequences, the College may consider mitigating or aggravating factors such as prior or subsequent conduct, motive, and intent. A pattern of similar violations will warrant an escalating response. Violations of this policy may result in one or more of the following sanctions or disciplinary/corrective actions:

1. Students or Organizations

- a. Letters of warning, direction, or reprimand;
- b. Disciplinary probation, suspension, or expulsion;
- c. Restricted access to or use of College property or facilities;
- d. Restitution paid to the College or other persons for damages or harm;
- e. Suspension or loss of an Organization's campus privileges; or
- f. Other sanctions consistent with College policy that may be deemed appropriate from time to time.

2. Employees

- a. Written or final written warnings;
- b. Suspension, demotion, loss of pay;
- c. Termination of employment
- d. Restitution paid to the College or other persons for damages or harm;
- e. Other sanctions consistent with College policy that may be deemed appropriate from time to time.

F. Criminal Referral

The College will report to law enforcement any complaint of Hazing activity that appears to involve criminal conduct. Hazing is a crime and may constitute a misdemeanor or felony.

G. Exceptions

This policy is not intended to prohibit or sanction:

- 1. Customary athletic events, contests or competitions that are sponsored by an educational institution.
- 2. Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program or a legitimate military training program.

Procedures:

Situations involving imminent danger should be reported immediately to College Police by calling 911 or 520-206-2700. Confidential reports may be made by linking to or calling the EthicsPoint Hotline (1-855-503-8072). To directly report a violation of this policy by a Student or Organization, contact the Dean of Students

(520-206-4500). To report a violation of policy by an employee, contact Human Resources (520-206-4624).

SECTION 4: College Reporting and Consumer Notification

The College tracks reports of Hazing incidents made to security authorities and police agencies consistent with the Stop Campus Hazing Act (SCHA). SCHA uses broader definitions of hazing and student organizations and, for Clery reporting, includes organizations that are neither established nor recognized by the College.

Pima College Police maintains the Clery log which includes reported Hazing incidents involving SCHA defined organizations, including organizations not established nor recognized by the College. The Annual Security Report includes:

- Statistics on Hazing by SCHA defined organizations that occur on College property (Clery geography), and
- policy and process information included in this AP and primary prevention strategies and programs intended to stop Hazing before Hazing occurs.

When required, the Dean of Students or designee maintains and posts a Campus Hazing Transparency Report (CHTR) which includes summary findings concerning any student organizations established or recognized by the College found to be in violation of the College's standards of conduct related to Hazing, no matter where they occur.

- The CHTR is only required following a finding of a Hazing violation by an organization established or recognized by the College.
- The CHTR must be updated twice annually, but only if there are additional Hazing violation findings.

When the CHTR becomes required, the Dean of Students or designee shall ensure it is posted in a prominent location on the College's website.