



Administrative Policy #: 1201
Title: Anti-Hazing Policy
Effective Date: August 22, 2025

SECTION 1. PURPOSE & SCOPE

- 1.1. PURPOSE: To comply with the *Stop Campus Hazing Act (SCHA)* enacted on December 23, 2024, which amends *the Jeanne Clery Campus Safety Act of the Higher Education Act of 1965*.¹
- 1.2. SCOPE: This policy applies to hazing in any form, committed by any person in a University program or activity, including faculty, staff, individual students, student organizations, volunteers, and others.

SECTION 2. APPROVAL, DELEGATION & APPLICABILITY

- 2.1. AUTHORITY: Office of Title IX and Compliance.
- 2.2. DELEGATION: The President delegates the Administrative Policy Committee the authority to adopt additional policies and procedures to effectuate the implementation of this rule.
- 2.3. APPLICABILITY: Any person participating in an organization at Fairmont State University, including, but not limited to: club, student organization, society, association, athletic team, club sports team, fraternity, sorority, band, student government, in which two or more of the members are students enrolled at Fairmont State University, whether or not the organization is established or recognized by the institution.

SECTION 3. DEFINITIONS

- 3.1. HAZING: 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:
 - 3.1.1. Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

¹ Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U. S. C. § 1092(f) as amended December 23, 2024.

- 3.1.2. Endangers the mental or physical health or safety of another person or persons, causes or creates a risk, above the reasonable risk encountered in the course of participation in the University or organizations (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury, or extreme embarrassment, or causes another person or persons to destroy or remove public or private property, including but not limited to:
- 3.1.2.1. Whipping, beating, branding, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - 3.1.2.2. Causing, coercing, or otherwise inducing sleep deprivation, forced exclusion from social contact, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - 3.1.2.3. Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - 3.1.2.4. Causing, coercing, or otherwise inducing another person to perform sexual acts;
 - 3.1.2.5. Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - 3.1.2.6. Any activity against another person that includes, or that induces, causes, or requires another person to perform a duty or task that involves, a criminal violation of local, State, or Federal law.
- 3.1.3. A person *cannot* consent (expressly or implicitly) to hazing for purposes of this policy.
- 3.1.4. This definition encompasses both the West Virginia and federal definitions of "hazing."
- 3.2. STUDENT ORGANIZATION: An organization at the University (including but not limited to: club, society, association, athletic team, club sports team, fraternity, sorority, band, student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.



3.3. RETALIATION: To intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege at the University because the individual has made a report or complaint, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or process under this policy. Allegations of retaliation will be the same as allegations under this policy and in conjunction with *Policy GA-01: Policy Regarding Discrimination, Harassment, Sexual Harassment, Sexual Misconduct, Stalking, Retaliation, and Relationships* and *Policy GA-06: Title IX Sexual Harassment*.

https://www.fairmontstate.edu/_files/bog/policies/fsu_policy_ga-01.pdf

https://www.fairmontstate.edu/_files/bog/policies/fsu_policy_ga-06.pdf

SECTION 4. POLICY

4.1. POLICY: It is the policy of Fairmont State University that hazing, as defined below, is prohibited in all University organizations, programs, and activities.

4.2. REPORT HAZING: Hazing presents a serious risk to the health and safety of the campus community. To create a campus environment where every student feels respected, safe, and supported, it is expected that any member of the campus community with knowledge of hazing report the incident. Reports should be made to the Office of Title IX and Compliance in person, via phone, or by accessing the Hazing Report Form located at <http://www.fairmontstate.edu/titleix>.

4.3. DETERMINING VIOLATIONS AND SANCTIONS: The Office of Title IX and Compliance is responsible for investigating reports and determining violations of the Anti-Hazing Policy. Allegations under this policy will be investigated pursuant to Procedures for Rules GA-01, GA-06, and Anti-Hazing.

4.3.1. Sanctions for students and organizations can be found in the Student Code of Conduct.

4.3.2. Sanctions for faculty and staff can be found in *Policy 64: Progressive Discipline and Separation from Employment*.

4.3.3. Volunteers or others not affiliated with the University may lose access to University programs and/or property.



4.3.4. State law provides for criminal prosecution and punishment pursuant to WV Code § 18-16-3.

4.4. AMNESTY: The University encourages individuals to report allegations of hazing. Therefore, good faith reports of alleged Anti-Hazing Policy violations and those who cooperate fully in the process may not be subject to sanctioning for hazing or other allegations of policy violation that may be revealed in connection with the incident (egregiousness of the allegations will be taken into consideration). Amnesty will not be granted if it is requested after the University becomes aware of an allegation of hazing.²

4.5. PREVENTION AND PROGRAMMING: In accordance with *the Stop Campus Hazing Act*, the University will offer research-based prevention and awareness programs related to hazing to students, faculty, and staff. Additional training throughout the academic year will be detailed and published annually in the University's Annual Security Report (ASR).

SECTION 5. COMPLIANCE

5.1. *The Stop Hazing Act (SCHA)*, enacted on December 23, 2024, as amended in the *Jeanne Clery Act of the Higher Education Act of 1965*; *WV State Code Article 16 ANTIHAZING LAW*: § 18-16-1; § 18-16-2; § 18-16-3; § 18-16-4.

SECTION 6. REVISION HISTORY

6.1. FREQUENCY OF REVIEW: Every three years.

6.2. APPROVAL: Approved by the President on August 23, 2025.

² If the behavior is reported to law enforcement, the University cannot guarantee criminal action will not be taken against individuals for unlawful acts.