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Anti-Hazing

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I. REASON FOR THIS POLICY

This policy and its procedures set forth the provisions applicable to the institution's compliance with the Stop Campus Hazing Act and the institution's procedures in addressing acts of hazing.

II. STATEMENT OF POLICY

The University of South Dakota prohibits student organizations (including but not limited to any club, society, association, athletic team, club sports team, fraternity, sorority, band, or student government) from engaging in individually or collectively in hazing activities.

- A. The University of South Dakota shall maintain a comprehensive education and awareness program for students, staff, and faculty on hazing awareness, hazing prevention, and how to report a concern related to hazing, which may include online or face-to-face training.
- B. The University shall maintain a formal process by which alleged incidents of hazing shall be reported.
- C. The University shall publish and update a Campus Hazing Transparency Report at least two times a year.
- D. The University shall include reported hazing incidents in the institution's Annual Security Report as appropriate.

III. DEFINITIONS

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:

- 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 organization (such as the physical 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.

Student Organization: “an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or 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”.

IV. PROCEDURES

- A. Incidents of hazing may be reported to the USD Office of Student Rights and Responsibilities (SRR) via the Hazing Violation Reporting Form, located on the SRR website. Hazing incidents may also be reported to a USD Campus Security Authority in accordance with the Clery Act.
- B. The USD Office of Student Rights and Responsibilities is responsible for conducting investigations into reported hazing incidents.
 1. The Director of Student Rights and Responsibilities or their designee shall conduct the investigation.
 - a. The investigator assigned must not have any actual or reasonably perceived conflicts of interest and biases for or against any party involved in the initial complaint. If the institution determines that an actual or reasonably perceived

conflict of interest does exist, another individual must lead the investigation.

- b. The investigator assigned must be trained to analyze and document the available evidence to support reliable decisions, objectively evaluate the credibility of parties and witnesses, synthesize all available evidence, including both evidence that tends to suggest a violation and evidence that tends to suggest no violation, and take into account the unique and complex circumstances of each case.
- c. Following the initial investigation steps, the investigator will call for a meeting with the organization's president or designated member(s) from the organization's executive team. The advisor of the organization may be invited as well. Each party should be provided written notice in advance of any interview or hearing with sufficient time to prepare for meaningful participation.
- d. If the investigation results in a finding that hazing did occur, the organization's president and advisor should be given adequate time to consult with the rest of the organization to develop a written action plan. This plan must address the hazing incident and include educational outcomes such as trainings, awareness efforts, policy or procedural changes, and other appropriate interventions.
- e. The investigator will review the submitted action plan and may either accept it as submitted or make revisions to adequately address the incident. The organization's president and advisor may accept responsibility, and the proposed steps of the final action plan, or may opt for a formal resolution process.
- f. In the event a formal resolution is requested, Student Rights and Responsibilities will make arrangements for a formal hearing, in accordance with the procedures outlined in the [Student Code of Conduct](#) (SDBOR 3.4.1.)
 - i. Appeal rights will be communicated to the involved parties once the formal hearing outcome has been determined. In accordance with Section 3.7. of the Student Code of Conduct, appeals must be made in writing to the Senior Student Affairs Officer no later than five (5) business days after the hearing outcome was received.
- g. Once the investigation has concluded and a resolution has been determined, the investigator will create a written report to summarize any findings, any evidence that was found, and a copy of the final action plan.
 - i. A complaint against an involved student organization may be investigated in addition to any investigation involving the conduct of individual students.
 - ii. Non-student individuals alleged to be involved in hazing shall be referred to the appropriate University official.
 - iii. The investigator shall complete a Summary of Findings at the conclusion of the investigation and retain this summary for no less than five years.

- h. Reasonable efforts will be made to maintain the confidentiality of any reporting parties unless necessary to address the allegation at hand. This is to encourage witnesses of an incident to come forward without fear of retaliation. Persons who may be involved in the investigation of an allegation of hazing will not be subject to harassment, interference, intimidation, or retaliation.
- C. In accordance with the Stop Campus Hazing Act, USD shares the information below on local, state, and tribal laws on hazing.
 - 1. The City of Vermillion Municipal Code does not have any local ordinances that directly relate to hazing.
 - 2. The State of South Dakota does not have any codified laws that directly relate to hazing.
 - 3. USD encourages students and employees to consult with relevant tribal authorities for applicable laws governing behavior on tribal lands.
- D. The university shall maintain a comprehensive education and awareness program for students, staff, and faculty on hazing awareness, hazing prevention, and how to report incidents of hazing, which shall include certain training. All training is grounded in best practices from national hazing prevention research and intended to stop hazing before hazing occurs. The schedule of provided training is reviewed annually to ensure effectiveness and relevance, with sessions offered during key academic milestones to maximize impact and participation. The university's primary prevention strategies include:
 - 1. Provide mandatory online hazing prevention training for incoming students and returning students annually.
 - 2. Provide mandatory online hazing prevention training for Student Organization Advisors, Student Services Staff, Athletics Staff, and Fine Arts Staff with significant oversight of student performance groups as determined by the Dean of the College of Fine Arts.
 - 3. Make hazing prevention training available to university faculty and staff and promote such training in a manner designed to reach such audiences.
 - 4. The university may provide or require in-person hazing prevention workshops for Student Organizations, Student Organization Advisors or Officers, or employees likely to be able to prevent incidents of hazing.
- E. USD will maintain and report findings of hazing violations by any student organization within the Hazing Transparency Report.
 - 1. The Hazing Transparency Report will include:
 - a. The name of the student organization or group involved;
 - b. The date the incident was reported;
 - c. The date the investigation was initiated;
 - d. A general description of the incident(s) and violation;
 - e. Whether the violation involved the abuse or illegal use of alcohol and/or drugs;

- f. The outcomes of any disciplinary processes, including findings and sanctions.
 - 2. This report is updated biannually and is publicly accessible to inform students, families, and the broader community in order to promote the awareness, accountability, and prevention of hazing on campus. Incident reports will be maintained for 5 years following the finding and resolution.
- F. On USD's public website, there is a statement notifying the public of the annual availability of their hazing statistics, including a link to the institution's annual security report, information about the institution's policies relating to hazing and applicable local, State, and Tribal laws on hazing, and the institution's Campus Hazing Transparency Report

V. RELATED DOCUMENTS, FORMS AND TOOLS

[SD BOR Policy 1.4.2 \(Prevention of Dating Violence, Domestic Violence, Sexual Assault, Stalking, and Hazing\)](#)

[SD BOR Policy 3.4.1 \(Student Code of Conduct\)](#)