

Allegany College of Maryland

HAZING POLICY

[Policy mandated by federal law]
Approved by Board of Trustees 05/12/25
Implementation Date 06/01/25
Federal Data Reporting 07/01/26

BACKGROUND AND PURPOSE

Allegany College of Maryland is committed to providing a healthy and safe community for learning and engagement for all students, employees, and guests. It is the responsibility of every person to ensure his/her actions do not compromise the health and safety of any person or the campus community. Hazing compromises both health and safety; it has been prohibited at Allegany College of Maryland pursuant to the Code of Student Conduct beginning in 2008 when behaviors that constitute hazing were listed (eg., assault, bullying, vandalism); in 2020, hazing was added as a specific violation. This policy is created independently to comply with the federal **Stop Campus Hazing Act** passed in 118th Congress and signed into law by the President on 12/24/24.

POLICY

I. Scope of the Policy

This policy applies to all Allegany College of Maryland students, employees, volunteers, interns, vendors, visitors, parents, spectators, Trustees, and/or any person who is present on any College property for any purpose. College owned or managed property includes (but is not limited to) Cumberland campus, Bedford County Campus, Somerset County site, Gateway Center, Garrett site, Makerspace, and Willowbrook Woods. This policy also applies to any student or employee who is engaged in any college-sponsored or college-affiliated activity at an off-campus location including but not limited to sporting events, field trips, clinical/practicum course requirements, and conferences. This policy applies while using College owned or rented vehicles.

II. Policy Statement

No person shall engage in hazing, and no College Official will permit hazing in connection with any student organization for which they serve as an Advisor or Coach. Attempts to commit hazing is prohibited. If the acts also constitute crimes, they may be reported to local law enforcement. Retaliation for reporting hazing or participating in an investigation of hazing is prohibited. Nothing in this policy shall be construed to permit other behaviors expressly prohibited by the Code of Student Conduct or Employment policies.

III. Definitions

- A. Hazing. The College adopts the federal law's definition of hazing as
1. any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons)
 2. against another person or persons (regardless of the willingness of such other person or persons to participate),
 3. that is connected with an initiation into, an affiliation with, or the maintenance of membership in a student organization and
 4. that causes or creates a risk, above the reasonable risk encountered in the course of participation in the [College] organization of physical or psychological injury including –
 - (a) whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or other similar activity;
 - (b) causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;

- (c) causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- (d) causing, coercing, or otherwise inducing another person to perform sexual acts;
- (e) any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- (f) any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
- (g) 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.

The federal definition supersedes the definition of hazing per Maryland law.
The Code of Student Conduct will adopt this policy's definition.

- B. **Student Organization.** For purposes of this policy, the College adopts the federal law's definition of student organization as 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 members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.
- C. **Advisor or Coach.** For purposes of this policy, the College defines an Advisor or Coach as
 - 1. any person who is specifically identified as a student club/organization advisor or a coach of an Allegany College of Maryland student athletic team and/or
 - 2. any person who is charged with overseeing, managing, selecting, training, directing, or otherwise guiding the activities of an Allegany College of Maryland student club/organization.
 - 3. Such designation as Advisor or Coach is unrelated to whether the role is full time, part time, paid, unpaid, intern, or volunteer. If a student is also acting as an Advisor or Coach, they will be deemed a student as their primary role.

IV. Consequences

- A. Students who engage in allegations of hazing may be referred for disciplinary action pursuant to the Code of Student Conduct.
- B. Employees who engage in allegations of hazing or who knowingly permit hazing to occur within a group for which the employee is charged with managing, advising, or coaching may be referred for disciplinary action pursuant to employment policies.
- C. Persons who are neither students nor employees who engage in allegations of hazing or who knowingly permit hazing to occur within an Allegany College of Maryland student organization for which the Person is an Advisor or Coach may be referred for action pursuant to the Safety Risk Policy.
- D. Persons who are neither students nor employees who engage in allegations of hazing or who knowingly permit hazing to occur in an unaffiliated organization on College property may be referred for action pursuant to the Safety Risk Policy and/or Youth Protection Policy.
- E. Allegations of misconduct that do not fall within the scope of this policy will be addressed by other appropriate institutional policies and procedures.

V. Procedures

Allegany College of Maryland shall use currently existing procedures or adopt new procedures to implement this policy. Such procedures shall include but are not limited to the following elements: identification of student groups and organizations; identification of responsible managers, advisors, and coaches; completing incident reports, record-keeping, conducting investigations, disciplinary action for students pursuant to the Code of Student Conduct, and disciplinary action for employees pursuant to employment policies.

VI. Education

Allegany College of Maryland shall provide prevention and awareness education to students and employees with emphasis on the student groups and organizations which are the focus on the Stop Campus Hazing Act. This education shall be designed to provide the following information to students and employees:

- A. Allegany College of Maryland's policy including what constitutes hazing, how to report hazing, investigations and consequence of engaging in hazing, and applicable local, state, and Tribal hazing laws.
- B. Prevention strategies such as bystander intervention, ethical leadership, hazing-free group cohesion.
- C. In addition to the Campus Hazing Transparency Report as described below, the College shall post online this policy; annual hazing statistics (Crime Report), link to the Crime Report, applicable local, state, and Tribal hazing laws.
- D. As required by Maryland, the College will continue providing hazing information to students, coaches, and club advisors.

VII. Reporting

- A. Any person with information about hazing is strongly encouraged to report it promptly to Campus Safety/Special Police and/or the Dean of Student & Legal Affairs. College officials who are charged with managing, advising, or coaching a student groups/organizations where hazing has occurred are required to report it. The College will assist any person needing assistance to make a report or complaint, and reports may be made anonymously online at www.allegany.edu. **The College strongly encourages any person who is a victim of or who witnesses any crime to contact law enforcement / call 911 immediately.**
- B. The College will document reported hazing incidents and make the following federally mandated disclosures:
 1. Campus Hazing Transparency Report will be posted to the College's website and updated twice annually with any hazing data. By law, this report shall summarize findings of student organizations found in violation of hazing with the following information:
 - (a) Name of the established or recognized student organization;
 - (b) General description of the violation; and
 - (c) Dates when the incident occurred, when the investigation was initiated, when the investigation was complete with a finding of hazing, when the student organization was given notice that the hazing violation was founded.
 - (d) The report shall not include personally identifiable information.
 - (e) The report shall be maintained for five years.
 2. Crime and Fire Safety Report is completed annually.
 - (a) Each incident of hazing will be documented; by statute, "if the same person or persons commit more than one hazing act and the time and place intervals separating each such act are insignificant, such acts shall be reported as a single hazing incident."
 - (b) Hazing data (if any) will be collected, added to the crime statistics, and submitted to the Department of Education.
 - (c) Hazing program information will be included in the written narrative which is posted online.
- C. The College shall continue its compliance with Maryland's mandate to report any hazing incidents.

VIII. Other Provisions

- A. The College will also comply with applicable local and state hazing laws.
- B. Application of this policy may directly or indirectly require the application of other institutional policies; nothing in this policy shall be construed to prohibit the application of related policies

which include, but are not limited to the policies listed here. Related policies include: Code of Student Conduct, Personnel/HR policies, Title IX Policy, Athletics Standards of Excellence, Non-Discrimination Policy, Safety Risk Policy, FERPA Policy, and First Amendment Policy. Where an allegation that this policy has been violated and the underlying acts would also violate (or prompt a formal complaint to) another policy, the College shall make reasonable efforts to determine which policy has primacy and to apply that policy and its accompanying procedures as required or permitted by law; for example, if a hazing incident included sexual elements to which Title IX may apply, the Title IX Coordinator will first review the incident so the specific and unique procedures and protections are observed.

- C. Nothing in this policy shall be construed to limit any party's pursuing criminal or civil remedies.
- D. If another College policy or state law conflicts with this policy, the College shall make reasonable efforts to resolve the conflict without violating any policy or law. If such resolution is not possible, the College shall apply the relevant policy or law in this order: constitutional protections, federal law, federal regulations, institutional policy to implement federal law/regulations, Maryland law, Maryland regulations, institutional policy to implement Maryland law/regulations, other state law, other state regulations, institutional policy to implement other state law/regulations, institutional policy unrelated to a federal or state law/regulation.

IX. Policy Changes

Substantive changes to this policy require approval by the Board of Trustees; editorial changes, title/position changes, and/or changes to its implementation procedures may be made as required by federal or state mandate and/or institutional need with timely notice to students and employees.