

Benedictine College Policy on Hazing

1. Overview

Benedictine College (“College”) is committed to promoting a safe and healthy campus environment for the College community and cultivating a culture that fosters respect for the dignity and rights of all its members. The College does not tolerate hazing activities by anyone affiliated with the College. As such, the College will investigate and respond to all reports of hazing as outlined in this Policy on Hazing (“Policy”).

2. Jurisdiction

The College holds anyone affiliated with the College accountable for their behavior both on and off campus and addresses behavior that is a violation of this Policy, the College’s Code of Student Conduct, and other applicable College policies. This Policy applies to all members of the College community, including faculty, staff, students, recognized student organizations, student groups, varsity athletic teams, volunteers, other organizations and groups, as well as visitors and other licensees and invitees.

For purposes of this Policy, a student organization is defined as a group of people who are associated with each other and who have registered with the College as a recognized student organization as outlined in the Student Handbook; and a student group is defined as a number of persons who are associated with the College and each other, but who are not registered or are required to register as a student organization such as athletic teams, intramurals, club sports, military organizations, and theatrical ensembles.

This Policy applies to behavior that occurs on or off college premises, including where the College is extended to distance education, such as student abroad programs, service trips, experiential learning opportunities, athletic intramurals, club sports and other group travel. This Policy applies at off-campus facilities of registered student organizations, College-sponsored or approved activities/events, and non-College activities. This Policy also applies to behavior conducted online, via email or through electronic media, in cases where the behavior violates College policy. The College will review online information and may take action when conduct violative of College policy is brought to the attention of college officials.

3. Definition of Hazing

Kansas law (K.S.A. 21-5418) includes the following definition:

(a) Hazing is recklessly coercing, demanding or encouraging another person to perform, as a condition of membership in a social or fraternal organization, any act which could reasonably be expected to result in great bodily harm, disfigurement or death or which is done in a manner whereby great bodily harm, disfigurement or death could be inflicted.

The Stop Campus Hazing Act, a Federal law, defines hazing as:

[A]ny 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—

(I) is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

(II) causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—

(aa) whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;

(bb) causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;

(cc) causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;

(dd) causing, coercing, or otherwise inducing another person to perform sexual acts;

(ee) any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;

(ff) any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and

(gg) 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 College defines hazing to include:

- a. Any action or situation which recklessly or intentionally endangers the mental, emotional, or physical health or safety of a student for the purpose of initiation or admission into, or affiliation with, any student organization or group regardless of the person's consent to participate.
- b. Brutality of a physical nature includes but is not limited to paddling, whipping, beating, branding, forced calisthenics, or exposure to the elements.
- c. Coerced consumption, including but not limited to any food, alcoholic beverage, liquid, drug, or any other substance that subjects the student to an unreasonable risk of harm.
- d. Acts intended to cause mental stress, including but not limited to sleep deprivation, transportation or abandonment, confinement to a small space, blindfolding, forced exclusion from social contact, forced conduct which could result in embarrassment, any forced activity that is designed to shame or humiliate, or any action of harassment (as defined in the Student Code of Conduct).
- e. Coerced activities, including but not limited to violation of local, state, or federal laws, violation of college policies, rules, or regulations, and personal servitude.

- f. Acts of sexual harassment and other sexual misconduct as defined by the College's [Title IX Policy](#), which can be viewed here.
- g. Any other activities requested of new or current members that are not consistent with the policies of the College or applicable federal or state law.

NOTE: Hazing is a crime under Kansas law, and it may also be investigated and prosecuted by law enforcement. In Kansas, hazing is classified as a Class B nonperson misdemeanor. The exact penalties for a Class B nonperson misdemeanor in Kansas are determined by the court and may include fines, community service, or a short jail sentence, according to Kansas Office of Revisor of Statutes.

4. Reporting

- a. How to Report

Campus safety is our top priority, and we take all reports of misconduct seriously to protect everyone's health and well-being. The College is committed to reviewing all reports of hazing. The College depends on community members to identify and report behaviors of concern so that the College can provide distressed students and employees with appropriate support services and resources. We are all responsible for campus safety. If you see any concerning or suspicious behavior, you are encouraged to report it. Alleged violations of this Policy are to be reported directly to the Director of Student Conduct, or a Residence Life staff member. Individuals may choose to use the [Benedictine College's Hazing Reporting Form](#) or schedule an appointment with the Director of Student Conduct to report an incident.

If you wish to make an anonymous report, you may do so by completing a [Benedictine College's Hazing Reporting Form](#). This information will then be sent to the Director of Student Conduct for review and appropriate response and action. It is important to understand that if you choose to file an anonymous report, the College's ability to investigate, respond or take further action may be limited by the level of information available about the incident or individuals involved. Nonetheless, if the identity of the complainant is revealed in the anonymous report, the Director of Student Conduct will reach out to the complainant to discuss the matter.

College contacts:

- Director of Student Conduct, Eric Burghart, JPII Student Center, 913-360-7502
- Office of Student Life, JPII Student Center, 913-360-7500
- RD On Call, 913-360-7070

NOTE: If a member of the College community is aware of immediate physical danger to a student or others, the College encourages them immediately to dial 911.

Identify acts of hazing:

Key indicators: the activity is degrading and/or demeaning, there is a risk of injury or question of safety, individuals are blindfolded, alcohol or drugs are present, cryptic language is used to describe the event, activity, or interaction, active members are unwilling to participate in the same activity with new members, active and new members are unwilling to discuss the activity with advisers, coaches, family members, headquarters or prospective members, members justifying actions as "tradition" in an attempt to convince others that it is an acceptable event. Changes in

behavior such as oversleeping, constant exhaustion or an inability to focus, or a drop in GPA may indicate that someone is or has been a victim of hazing.

b. Duty of Report

All employees have a duty to report violations of this Policy including faculty, administrators, coaches, and staff. Graduate assistants and student employees have a duty to report violations of this Policy of which they became aware in the course of their duties when these duties include responsibility for the safety and wellbeing of other members of the campus community or if they have supervisory, evaluative, grading, or advisory responsibility over other members of the campus community.

Immediately upon learning of potential hazing, any employee with a duty to report violations of this Policy who received a complaint of hazing or who observes or learns of conduct that is reasonably believed to be in violation of this Policy is required to report the alleged conduct to the College's Director of Student Conduct.

c. Good Faith Reports

The College encourages the good faith reporting of hazing under this Policy. However, the College will not allow this Policy to be abused for improper means. The College will not tolerate intentional false reporting of incidents or knowingly providing false information with reckless disregard for the truth during an investigation or conduct hearing process under this Policy. Such conduct is a violation of this Policy which will be addressed in accordance with the applicable student, employee, or faculty handbook and subject to disciplinary action, up to and including termination from employment or dismissal from school. Moreover, depending on the circumstances, such conduct may also violate state criminal statutes and civil defamation laws.

5. Amnesty

At times, students may be hesitant to report hazing to College officials because they are concerned that they may be subject to student disciplinary action for Policy/Code of Student Conduct violations that occurred during the incident. These behaviors are not condoned by the College, but the importance of addressing alleged hazing is the paramount consideration of the College. Consequently, students who initiate contact with the Director of Student Conduct or a College employee to report hazing in good faith will not be subject to student disciplinary action for code of conduct violations that occurred during the incident as long as such violations did not place the health and safety of any other person at risk.

The College may, however, require students to participate in educational activities or other interventions as deemed appropriate by the Director of Student Conduct. Whether amnesty is granted will be determined on a case-by-case basis considering the totality of the circumstances involved in the incident. Moreover, amnesty does not preclude or prevent action by law enforcement or other legal authorities.

6. Retaliation Prohibited

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this Policy.

Any retaliation as described above is prohibited and is a separate violation of the Code of Student Conduct. An individual who is threatened in any way should immediately report these concerns to the Director of Student Conduct. Individuals who engage in such retaliatory actions are subject to disciplinary sanctions as set forth in the Code of Student Conduct.

7. Policy Enforcement

- a. The College will determine if interim measures are needed to protect the safety and/or well-being of others and implement reasonable interim measures as necessary.
- b. The Director of Student Conduct or designee will launch an immediate investigation into all reports of hazing involving students, student groups, and student organizations.
- c. Allegations of hazing involving College employees, including faculty, staff, and volunteers, will be reviewed and investigated by the Office of Human Resources. The Director of Human Resources, or their designee, will coordinate the investigation to determine whether a violation of this policy has occurred. If so, the College will take appropriate corrective or disciplinary action, up to and including termination of employment.
Investigations will be conducted promptly and in a manner that is fair and impartial. The College reserves the right to place an employee on administrative leave during the investigation process when necessary to protect the safety and integrity of the College community.
- d. During the course of the investigation, those accused of hazing (including student groups and student organizations), as well as any victims of hazing, may request to enter information into the record and may recommend specific witnesses to the investigator(s). Ultimately, the investigator(s) will determine the relevance of the information or witnesses. In completing the investigation, the investigator(s) may:
 - i. Make contact (if possible) with and interview individuals who submitted the initial information as well as those who may have experienced hazing.
 - ii. Make contact with and interview the individuals(s) alleged to have violated this Policy. If the conduct involved a student organization or student group, the investigator(s) will contact the presiding student leader and advisor of the entity under investigation.
 - iii. Interview any other individuals with relevant information, as determined by the investigator.
 - iv. Request relevant information from members of the student group or student organization (e.g., text messages, screenshots, pictures, videos).
 - v. Require members of the student group or student organization, or a select group of members, to meet with staff; the investigator may restrict communication between the student or student organization members during an interview.
 - vi. Suspend all activities and events related to the student group or organization.
 - vii. Request students to undergo a physical examination by an appropriate medical professional and share a summary of the relevant results of the examination (e.g., findings of physical abuse, Blood Alcohol Content, drug usage). Any medical information shared will be protected to the extent permitted by law.
- e. When the investigation is complete, the College will hold a hearing. Employees, students, and/or representatives of student groups or student organizations accused of hazing must

appear at required administrative hearings. Those accused are expected to answer questions and/or provide information. If a student or employee fails to participate in the conduct process, the College may proceed to resolve the matter.

- f. Students and employees participating in an investigation process are expected to do so in an active, cooperative, and truthful manner.
- g. Once the hearing is complete [If a violation is determined to have occurred, the student and organization will be so notified via an outcome letter and informed of the sanctions imposed. Decisions resulting from an Administrative Hearing may be appealed to the Vice President of Student Life in accordance with the procedures outlined under: Appeals Process for Major Violations.].

Falsifying, distorting, intentionally omitting, or misrepresenting information is a violation of the Code of Student Conduct.

The College will make every effort to complete the initial investigation within a period of thirty (30) days, barring extenuating circumstances. If the circumstances require more than thirty (30) days, the College will notify the parties and/or their representatives of the delay, including the reasons(s) for the delay and the anticipated timeline for completing the investigation. The College will aim to hold the hearing within 5 business days of completion of the investigation.

College recognition of a student organization may be temporarily withdrawn pending the investigation and decision-making process.

Findings of hazing by a member of a student group or organization will be imputed to the student group or organization involved for purposes of the Campus Hazing Transparency Report.

8. Sanctions for Violations of the Policy

For students and student organizations/groups:

Violations of the Policy by individual students or student organizations or groups shall be sanctioned under the Student Code of Conduct and other related policies and are subject to the full range of sanctions, including but not limited to warning, restitution, discretionary sanctions (e.g., community service), probation, loss of privileges, residential housing relocation, withheld suspension, suspension, dismissal as well as other educational sanctions. Additionally, an individual, student organization or group responsible for hazing may also be subject to other outcomes or penalties in accordance with the rules and policies of applicable outside constituents or groups in which the student is involved, or their governing bodies. The College has the right to act regardless of the actions of the outside governing body.

Faculty/Staff Sanctions:

Corrective action will follow the procedures as set forth in the Employee Handbook.

9. Intersection of the Hazing Policy and the College's Title IX Policy

In accordance with the [*College's Title IX Policy*](#) where discrimination, harassment, or sexual misconduct are involved in an alleged hazing activity, the *Title IX Policy* shall supersede all other policies and procedures set forth in all other College policies and handbooks. As such, the matter will be referred to the Title IX Coordinator (or Deputy Coordinator), as it relates to the *College's Title IX Policy*. Moreover, an alleged hazing activity can result in a violation of this Policy and the *College's Title IX Policy*.

10. Institutional Reporting & Policy Dissemination

The College will maintain an Anti-Hazing webpage on the College's website which will include its Campus Hazing Transparency Report ("CHTR"). The CHTR will include all findings of hazing Policy violations as determined by the College. The College will update the report bi-annually on January 1 and August 1 of each year, as necessary, and will post the updated report on the College website for the current academic year as well as for the previous five (5) academic years. This report will include a brief description of the alleged misconduct, the outcome/finding concerning the alleged misconduct, and any corrective action or discipline taken, as well as other information required by law. In addition, all reports of hazing that occur on the University's Clery geography will be included in its Annual Security Report beginning in 2026.

11. Training and Education

The College provides research-informed campus-wide hazing prevention and awareness programming designed to reach students, faculty, and staff. The programming includes the information set forth above and provides primary prevention strategies intended to stop hazing before it occurs. The training includes skill building for bystander intervention, information about ethical leadership, and the promotion of strategies for building group cohesion without hazing.

In particular, all students seeking membership in a registered student organization or student group at the College must complete the anti-hazing training provided by the College. Failure to complete the training will result in the student being denied the ability to join any recognized student organization or group. If a student is unsure if they have completed the required program, they should contact the Director of Student Conduct to verify their eligibility to join a student group or organization.

All employees (faculty and staff) and volunteers that advise or coach a student organization or student group recognized by the College and who have direct contact with students must complete the anti-hazing training.

The College will verify each person's completion of the anti-hazing training.

12. Discretion in Application

The College retains discretion to interpret and apply this Policy in a manner that is not clearly unreasonable, even if the College's interpretation or application differs from the interpretation of those involved.

Despite the College's reasonable efforts to anticipate all eventualities in drafting this Policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express Policy language, in which case the College retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this Policy are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the College retains discretion to revise this

Policy at any time, and for any reason. The College may apply Policy revisions to an active case provided that doing so is not clearly unreasonable.