



Swarthmore College Anti-Hazing Policy

I. Scope

Swarthmore College's Anti-Hazing Policy is developed in accordance with the Stop Campus Hazing Act ("Federal Law") and the [Commonwealth of Pennsylvania's Timothy J. Piazza Anti-Hazing Law, Act 80 of 2018](#) ("State Law"). The College's Anti-Hazing Policy applies to all students, faculty, and staff, including student organizations, and other persons associated with a student organization (coaches, advisors, alumni, or others in different roles) through which they may have occasion to allow, facilitate, or disregard acts of Hazing, Aggravated Hazing, or Organizational Hazing.

II. Policy Statement

The College's Anti-Hazing Policy is intended to affirm the College's prohibition of Hazing and establish the rules for students, student organizations, NCAA athletic teams, or any other person associated with a student organization or athletic team from engaging in any form of Hazing. Additionally, the Anti-Hazing Policy will: explain the College's enforcement of this policy; explain and provide resources for reporting violations of this policy; describe the College's investigation process and potential sanctions for violations of this policy; highlight the College's efforts to provide proactive programming to the campus community to raise awareness of Hazing and help prevent its occurrence; and affirm how the College will comply with the requirements of both Federal and State Law, publishing reports regarding allegations and investigations of Hazing at the College.

III. Policy

A. Prohibited Conduct

Swarthmore College prohibits any form of Hazing, whether the activities occur on or off property owned or operated by the College. Additionally, the College supports and enforces the Stop Campus Hazing Federal Law and the [Commonwealth of Pennsylvania's Timothy J. Piazza Anti-Hazing Law, Act 80 of 2018](#). Failure to notify the College of an incident of Hazing is a violation of this policy. Students and all College employees are expected to report all instances of Hazing to the College.

As set forth more fully in Section VI, Hazing includes, but is not limited to, any behavior and/or acts of servitude that is designed or intended to humiliate, degrade, embarrass, harass, or ridicule an individual, or that which a reasonable person would deem harmful or potentially harmful to an individual's physical, emotional, or psychological well being, as an actual or perceived condition of new or continued affiliation with any organization, and/or team. Hazing also includes knowingly or recklessly engaging in such behavior and/or acts.

Engaging in any of these behaviors, regardless of the intent to cause harm or the willingness of an individual to participate in such activity, for the purpose of initiation, admission, or continued affiliation and/or membership in any group or organization, is a violation of this Policy.

To report an incident of Hazing, please click [here](#).



B. Athletics

The Department of Athletics, Physical Education & Recreation prohibits Hazing of any kind. Hazing of any Swarthmore student, visiting student athlete, or individual participating in a Swarthmore College club, organization, or related activity will not be tolerated and will result in College and Athletic Department disciplinary action, including, but not limited to, suspension or expulsion from a team, or the forfeiture of athletic eligibility.

In addition to the Commonwealth of Pennsylvania's Timothy J. Piazza Anti-Hazing Law and the Stop Campus Hazing Act, all Swarthmore student-athletes are subject to the NCAA's anti-hazing guidance. The NCAA defines hazing as "any act committed against someone joining or becoming a member or maintaining membership in any organization that is humiliating, intimidating, or demeaning, or endangers the health and safety of the person. Hazing includes active or passive participation in such acts and occurs regardless of the willingness to participate in the activities. Hazing creates an environment/climate in which dignity and respect are absent." [Click here to review the NCAA's Hazing Prevention Handbook.](#)

C. Training

To support its compliance with this Policy, the College offers campus-wide prevention and awareness programs related to Hazing, including online virtual programming designed to reach students and employees. These prevention and awareness programs include information about this Policy, as well as primary prevention strategies intended to stop Hazing before it occurs, which may include information about bystander intervention and ethical leadership. In addition, the programs will include education about strategies for building group cohesion without Hazing. The College offers this training on an annual basis to the entire campus community.

IV. Reporting, Investigations, and Sanctions

A. Reporting a violation of the College's Anti-Hazing Policy

It is the policy of Swarthmore College to expect prompt and accurate reporting of Hazing directly to Public Safety, to the Swarthmore Borough Police, Athletics Staff, or a College Dean. Reports can be made confidentially or anonymously.

For questions surrounding Hazing or to file a report, contact the following offices by phone:

- Department of Public Safety 610-328-8333
- Division of Student Affairs 610-328-7351
- Department of Athletics, Physical Education & Recreation 610-328-8218

Community members may contact the Swarthmore Borough Police by dialing 911 or 610-543-0123. Community members may file a report online through the [online incident reporting form](https://cm.maxient.com/reportingform.php?SwarthmoreCollege&layout_id=1)* found at: https://cm.maxient.com/reportingform.php?SwarthmoreCollege&layout_id=1

*Reports filed using the online reporting form may be filed anonymously by **not** including contact information in the reporting form.

Reports filed with the offices of Athletics, Physical Education & Recreation, Division of Student Affairs, and Public Safety may be filed confidentially, meaning your information will not be shared outside of individuals truly with the need to know in order to act upon the report.



B. Investigations

Students

Upon receipt of a report of alleged Hazing by a student, Swarthmore College Department of Public Safety shall lead the investigative process through the use of certified hazing investigators. As part of the investigation, Swarthmore College will;

- Contact the individuals bringing forward the allegations if possible.
- Contact individuals alleged to have perpetrated the Hazing. If the conduct is organizational in nature, the investigator(s) will contact the advisor (if applicable) and officers of the organization/leaders of the team.
- Conduct interviews with all parties, including victims, the accused student(s) or persons, and any witnesses. The investigator(s) may, at their discretion, recommend interim action (as outlined in the Student Code of Conduct) to the Division of Student Affairs at any point during the investigation based upon information received.
- The investigator(s) may, at their discretion, require students, or a select group of students to participate in an investigatory meeting at a predetermined time and location, and may exercise discretion regarding the communication of students during the investigation process, including but not limited to, restriction on the use of electronic devices during the investigation process and/or recording of investigation process.
- The College may request permission/consent to review medical records if available. Declination of such permission may limit the evidence that can be gathered.
- The investigator(s) will provide a written investigative report to the Division of Student Affairs and/or other applicable designee(s). Upon receipt of the report, the Division of Student Affairs will determine if charges are warranted/supported. If charges are warranted, the Division of Student Affairs will charge the individual student(s), the involved organizations, and/or the president or other responsible officers of the involved organization, or any other complicit bystanders in accordance with the Student Code of Conduct.
- Adjudication shall be according to the established practices in the Student Code of Conduct.

Employees

Upon receipt of a report of alleged Hazing by an employee, the College will investigate the allegations by following the procedures outlined in the Employee Handbook or the Handbook for Instructional Staff, as appropriate.

Employees adjudicated to be in violation of this Policy are subject to discipline as set forth in the Employee Handbook and the Handbook for Instructional Staff, including suspension or termination.

C. Sanctions for Students

Individuals and/or organizations found in violation of this Policy are subject to referral to the student conduct process and may also be subject to criminal penalties pursuant to the laws of the Commonwealth of Pennsylvania.

The sanctions for students adjudicated to have violated this Policy may include remedial or corrective actions as warranted. The list of sanctions located in Section VII is illustrative rather than exhaustive, and the College reserves the right to impose other reasonable sanctions or to combine sanctions as it deems appropriate.



The student conduct administrator may broaden or lessen any range of recommended sanctions based on significant mitigating circumstances or egregiously offensive behavior. The student conduct administrator will not deviate from the range of recommended outcomes unless compelling justification exists to do so. The student conduct administrator may issue a single sanction or a combination of sanctions.

I. In considering the appropriate sanction within the recommended outcomes, the student conduct administrator will consider the following factors, together with any impact statements provided from the complainant and/or respondent:

- (i.) the respondent's prior discipline history;
- (ii.) how the College has sanctioned similar incidents in the past;
- (iii.) the nature and violence of the conduct at issue;
- (iv.) the impact of the conduct on the complainant, and their desired sanctions, if known;
- (v.) the impact of the conduct on the community, its members, or its property;
- (vi.) whether the respondent has accepted responsibility;
- (vii.) whether the respondent is reasonably likely to engage in the conduct in the future;
- (viii.) the need to deter similar conduct by others;
- (ix.) any other mitigating or aggravating circumstances, including the College's values;
- or
- (x.) the respondent's optional good faith participation in restorative / remedies-based educational options during the report, complaint, and investigation portions of the resolution process.

If a sanction includes suspension, the respondent is subject to the readmission process as described in the Student Handbook.

D. Additional sanctions that may be imposed for NCAA Athletics include:

- Restrictions/penalties imposed by the head coaches, athletics administrators, the NCAA, or related athletics conferences
- Suspension from practice/competition or removal from a team
- Terminations of athletic eligibility
- Cancellation of games and/or the remainder of a season
- Post-season ban

A sanction imposed by the College under this section is separate from and would be in addition to any criminal penalty imposed by the Commonwealth of Pennsylvania for violation of an offense under the Timothy J. Piazza Anti-hazing law or the other criminal laws of the Commonwealth. Students and employees found in violation of this Policy may also be separately charged with violating other College policies, as applicable.

V. Reports of Hazing Investigations

As required by the Commonwealth of Pennsylvania's Timothy J. Piazza Anti-hazing Law, Act 80 of 2018, twice a year, the College will provide the College community with a report that includes information about violations that have been reported to the College for the prior five (5) consecutive years.



This report will not include the personal identifying information of any individual and will reflect reported incidents of hazing to the extent that the institution has retained information about these violation(s). The College posted an initial report on January 15, 2019. The College will update and repost this report on January 1 and August 1, each following year. The College will retain each report for five (5) years.

As required by the Jeanne Clery Campus Safety Act and the Stop Hazing Act amendments of 2024, Swarthmore College will publish any *reported* hazing statistics in the Annual Fire Safety and Security Report as required, *and* publish a Campus Hazing Transparency Report (CHTR) upon the confirmation that an organization has committed the act of Hazing.

The CHTR will include a general description of the violation that resulted in the findings, the actual name of the organization, and related dates. The CHTR will be published no less frequently than two times annually in coordination with the Timothy J. Piazza Anti-Hazing Report.

As required by Commonwealth of Pennsylvania Law and federal regulations related to the Clery Act, Swarthmore College shall notify local law enforcement of any reported incidents of hazing that will be investigated by the College. Local law enforcement will work in tandem with the Department of Public Safety to identify what, if any, legal statutes have been violated and if the threshold for criminal charges is met.

VI. Definitions

Aggravated Hazing: An act of Hazing that results in serious bodily injury or death to the minor or student; and

- 1) The person acts with reckless indifference to the health and safety of the minor or student; or
- 2) The person causes, coerces or forces the consumption of an alcoholic liquid or drug by the minor or student.

Alcoholic Liquid: A substance containing liquor, spirit, wine, beer, malt, or other brewed beverage, or any combination thereof.

Drug: A controlled substance or drug as defined in the Act of April 14, 1972 (P.L.233, Mo.64), known as The Controlled Substance, Drug, Device, and Cosmetic Act.

Faculty/Staff: Faculty/Staff includes all full-time and part-time, exempt and non-exempt, faculty, staff, independent contractors, and volunteers of the College.

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:

- 1) Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in a student organization, or an NCAA athletic team; and
- 2) 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:
 - a. Whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on someone's body, or similar activity;



- b. Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, forced calisthenics or exercise, abductions and kidnappings, 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, sexual simulations, or public nudity;
- e. Causing, coercing, or otherwise inducing brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, exclusion from social contact, depriving an individual with a normal level of cleanliness, wearing embarrassing or humiliating attire, or other conduct that could result in extreme embarrassment;
- f. Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- g. Causing, coercing, or otherwise requiring another person to engage in acts of servitude of another member, demerits and/or deprivation of privileges granted to other members, expecting specific items to always be in one's possession, or tests on meaningless information; and
- h. 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.

Organizational Hazing: As defined by the State Law, an act by a Student Organization or NCAA athletic team that intentionally, knowingly, or recklessly promotes or facilitates a violation of Hazing or Aggravated Hazing.

Safe Harbor: A provision in the State Law that, under limited circumstances, gives protection to individuals from criminal liability under the State Law when they seek medical attention for themselves or others.

Medical Amnesty Policy: Students who make a Hazing complaint in good faith, or victims of Hazing who actively participate in a Hazing investigation, will not be charged with College policy violations that are brought to light in the course of the investigative process that arose out of, or were committed as a direct result of, the Hazing incident(s) under investigation (Example: Students forced to consume alcohol underage as part of the Hazing will not be charged under the violation of the College's alcohol policy). The College does, however, reserve the right to follow up with those students related to those issues as appropriate in a non-disciplinary context.

Serious Bodily Injury: Bodily Injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

Student: The College defines a matriculated student as any individual who has engaged in any matriculation activity at the College (i.e., Swarthmore Summer Scholars Program (S3P), pre-season athletics, Swarthmore Social Justice Institute, etc.) and/or enrolled to take courses at the College, including but not limited to:

- 1) Full-time enrollment;
- 2) Individuals who have completed eight (8) semesters of enrollment and are eligible for part-time enrollment;
- 3) Individuals on a Leave of Absence from the College;
- 4) Individuals who withdraw from the College after an allegation of misconduct;
- 5) Individuals who graduate from the College with a pending allegation of misconduct; or



- 6) Individuals participating in any off-campus study programs, affiliated with or without the College.

Student Organization: An organization at an institution of higher education (such as 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.

Retaliation: The College defines retaliation as any act or attempt to seek retribution from any person or group who makes a complaint, cooperates with an investigation, or participates in a resolution process, is a violation of College policy and will not be tolerated. Retaliation can take many forms, including continued abuse or violence, bullying, threats, intimidation, and stalking. Any individual or group of individuals, not just a complainant or respondent, can engage in retaliation.

VII. List of Sanctions

This list of sanctions is illustrative rather than exhaustive, and the College reserves the right to impose other reasonable sanctions or to combine sanctions as it deems appropriate:

- a. Warning - A written notification that a violation of policy occurred and that any further responsible finding of misconduct may result in more severe sanctions or outcomes. Warnings are typically recorded for internal purposes only and are not considered part of a student's permanent student conduct record. Though disclosed with a student's signed consent, a student who receives a warning is still considered in good standing at the College.
- b. Reprimand - A written notification that a repeated or more significant violation of the Student Code of Conduct occurred. Contrary to a Warning, a reprimand is considered part of a student's permanent student conduct record. Though disclosed with a student's signed consent, a student who receives a reprimand is still considered in good standing at the College.
- c. Probation - A designated period of time during which a student may have restrictions on their activities, actions, and/or eligibility to hold certain student leadership positions, and may be subject to more severe sanctions if found responsible for additional violations of the Student Code of Conduct. A sanction of probation would be imposed when there has been a repeated or serious violation of the Student Code of Conduct. If a student on probation is found responsible for additional violations of the Student Code of Conduct, additional sanctions can include suspension or expulsion from the College. Notification of probation is considered a change in good standing status, and notification of the change will normally be sent to parents or guardians. A student who is placed on probation is not considered in good standing during their period of probation.
- d. Suspension - The separation of a student from the College for a specified period of time, after which the student is eligible to return. Conditions for re-enrollment may be required and will be included in the notification of suspension. Suspended students are required to comply with the College's re-admission process prior to being eligible for re-enrollment.

During the period of suspension, the student may not participate in College academic or extracurricular activities; may be barred from all property owned or operated by the College; and depending on the severity of the charge, the student might not be allowed to progress toward completion of their Swarthmore degree by taking courses at other institutions while suspended.



Students who are suspended may not be on campus without specific, written permission of the Vice President for Student Affairs or designee.

Suspension is for a designated period of time and includes the probability of more severe sanctions, including expulsion, if found responsible for additional violations of the Student Code of Conduct or Title IX and College-Defined Sexual Misconduct Policy. Notification of suspension will normally be sent to guardians or parents, as it results in a change of status. As a result of a change in status, a student who is suspended is not considered to be in good standing at the College during their period of suspension.

e. Expulsion - Expulsion is the permanent separation of the student from the College. Students who have been expelled may not be on campus without specific, written permission from the Vice President for Student Affairs or designee. Notification of expulsion will normally be sent to guardians or parents, as it results in a change of status.

Expulsion may be particularly appropriate if the College has determined that the respondent has engaged in the same or similar conduct and/or has been found in violation of the Student Code of Conduct in the past.

f. Revocation of Affiliation - Revocation of affiliation is the permanent removal of a student as a member of a specific organization and/or the permanent removal of an organization's recognized affiliation with the College.

g. Loss of privileges - Denial of the use of certain College facilities or the right to participate in certain activities, events, programs, or to exercise certain privileges for a designated period of time. This includes Contact Restrictions, denial of the ability to represent the College in an official capacity, and/or organizational sanctions.

h. Restitution - A student or organization may be required to make payment to an individual or the College related to the misconduct for damage, destruction, defacement, theft, or unauthorized use of property.

i. Relocation or removal from (College-operated) housing - Relocation is the reassignment of a student from one living space to another. Removal from housing is the removal of a student from all College-operated housing. Relocation and removal from housing are typically accompanied by the loss of privileges regarding visitation to specific residential areas for a specified period of time.

j. Educational requirements/referrals - The College reserves the right to impose counseling or substance assessments, or other required educational sanctions.