

University of Louisiana System

Title: HAZING

Effective Date: August 27, 2019

Cancellation: August 23, 2018

Chapter: Students

I. University of Louisiana System Statement on Hazing

The University of Louisiana System (“the System”) is committed to maintaining a supportive, educational environment that fosters respect for the dignity and rights of all its community members. This commitment reflects the System’s adherence to its mission, to its various policies supporting its mission, and to relevant state and federal laws. As such, acts of hazing are considered irresponsible, intolerable and inconsistent with the System’s mission. Student organizations and/or individual members found to have engaged in hazing shall be in violation of the System’s Policy (“Policy”) and may be in violation of state law (R.S. 14:40.8).

The System’s member institutions shall adopt an institutional policy in accordance with all applicable laws and this Policy. All institutional policies must be amended to reflect any subsequent changes to laws and regulations. Additionally, each institution is encouraged to develop supplementary procedures to further support the implementation of this Policy. It is important to note that, while all institutions may develop individualized policies on hazing prevention, the mandatory provisions of this Policy establish the minimum requirements with which all institutional policies must comply.

II. Policy and Procedures Memorandum

In compliance with Acts 635, 637, and 640 of the 2018 Regular Session and Act 382 of the 2019 Regular Session of the Louisiana Legislature and the 2019 Board of Regents Uniform Policy on Hazing, the System reaffirms its policy that any form of hazing of any student enrolled at any institution of the System is prohibited. Violation of this Policy can result in both disciplinary action imposed by the organization and/or institution as well as criminal charges.

Each organization, as a condition of operating at an institution, shall adopt the Hazing Prevention Policy that the institution has adopted, which shall include possible institutional sanctions against the organization in the event of a reported or confirmed hazing incident, and a policy that prohibits hazing.

Furthermore, the definitions of key terms and other mandatory provisions shall remain consistent with those in Acts 635, 637, and 640 of the 2018 Regular Session of the Louisiana Legislature.

III. Definitions

- a. **Hazing** is defined as any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against an individual that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include students at an educational institution, including but is not limited to:
- i. The person knew or should have known that such an act endangers the physical health or safety of the other person or causes severe emotional distress.
 - ii. The act was associated with pledging, being initiated into, affiliating with, participating in, holding office in or maintaining membership in any organization.

Hazing includes but is not limited to any of the following acts associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization:

- Physical brutality, such as whipping, beating, paddling, striking, branding, electric shocking, placing of a harmful substance on the body, or similar activity.
- Physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, or calisthenics, that subjects the other person to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual or causes severe emotional distress.
- Activity involving consumption of food, liquid, or any other substance, including but not limited to, an alcoholic beverage or drug, that subjects the individual to an unreasonable risk of harm that adversely affects the physical health or safety of the individual or causes severe emotional distress.
- Activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime or an act of hazing.

It is important to note that physical activity that is normal, customary, and necessary for a person's training and participation in an athletic, physical education, military training, or similar program sanctioned by the postsecondary education institution is not considered "hazing."

- b. **Organization** is a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, band, spirit group, athletic team, or similar group whose members are primarily students at, or former students of, a postsecondary education institution, including the national or parent organization of which any of the underlying entities provided for in this definition is a sanctioned or recognized member at the time of the hazing.

- c. **Pledging** is any action or activity related to becoming a member of an organization, including recruitment and rushing.
- d. **Appropriate authority**
 - i. Any state or local law enforcement agency.
 - ii. A 911 Public Safety Answering Point as defined in Title 33 of the Louisiana Revised Statutes of 1950.
 - iii. Emergency medical personnel.
- e. **Reckless behavior** is an activity or behavior in which a reasonable person knew or reasonably should have known that the activity or behavior may result in injury to another, including but not limited to, excessive consumption of alcohol, binge drinking, drag racing, consumption of any controlled dangerous substance, acts of hazing, or other similar activity.
- f. **Serious bodily injury** is bodily injury that involves unconsciousness, extreme physical pain, or protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, death, or a substantial risk of death.

IV. Prevention and Education Programs

- Each new student shall be provided educational information on the dangers of and prohibition on hazing during the new student orientation process in the form of a handbook.
- In addition, beginning in the fall semester of 2019, each new student shall be provided educational information on the dangers of and prohibition on hazing during the new student orientation process either in person or electronically.
- Each organization (as defined above in this Policy and in R.S. 17:1801.1) shall provide annually at least one hour of hazing prevention education to all members and prospective members and anyone who is employed by or volunteers with the organization. The education may be provided in person, electronically, or both. Each organization shall submit a report annually to the institution with which it is affiliated relative to the students, employees, and volunteers receiving such education evidenced by an attestation of individuals receiving the education.
- The hazing prevention education required under the provisions above shall include the information about criminal penalties for the crime of criminal hazing. Information shall also be provided to organizations on their obligations under the law, including the duty to investigate and report; and on the possible loss of funding and other penalties applicable to organizations under the Hazing Laws.

- Each institution shall provide hazing prevention education and information to parents, if the student is a minor.

V. Reporting Requirements

An education institution that receives a report alleging the commission of an act or acts of hazing by one or more members of an organization that is organized and operating at the education institution shall report as soon as practicable under the circumstances, the alleged act or acts to the law enforcement agency having jurisdiction in the place where the alleged act or acts of hazing occurred. The information reported to law enforcement as required by this paragraph shall include all details received by the University relative to the alleged incident with no information redacted, including the name of all individuals alleged to have committed the act or acts of hazing. Failure to comply with this paragraph may subject the institution to a fine of up to ten thousand dollars.

Additionally, the University shall document in writing all actions taken with regard to the report including but not limited to the date the report was received, reports made to law enforcement as provided herein and in R.S. 14:40.8. and any other information relative to the University's investigation, processing and resolution of the incident.

In compliance with this section, all educational institutions shall complete the standardized University Hazing Incident and Reporting Form developed by the Board of Regents.

It shall be the duty of all current and potential student organization members and pledges to report immediately, in writing, any violation of this Policy to the appropriate institution administrator. Any violation of this Policy shall be investigated and appropriate disciplinary action taken.

VI. Duty to Seek Assistance

In accordance with Act 637 of 2018, codified at R.S. 14:502, any person at the scene of an emergency who knows that another person has suffered bodily injury caused by an act of hazing shall, to the extent that the person can do so without danger or peril to self or others, give reasonable assistance to the injured person. Each institution's policy and educational information shall include the criminal penalties for failure to seek assistance in violation of R.S. 14:502.

VII. Sanctions

a. Education Institutions

Any education institution that fails to report information to law enforcement in accordance with Act 382 may be subject to a fine of up to \$10,000.

b. Organizations and Affiliates

- i. If an organization has taken disciplinary action against one of its members for hazing or has reason to believe that any member of the organization has participated in an incident of hazing, the organization shall report the incident to the institution with which it is affiliated and law enforcement.
- ii. If an organization or any of its members has been disciplined by a parent organization for hazing, the organization shall report the hazing for which the organization was disciplined to the institution with which it is affiliated and law enforcement.
- iii. If any person serving as a representative or officer of an organization, including any representative, director, trustee, or officer of any national or parent organization of which any of the underlying entities as recognized in Section III B of this Policy is sanctioned or recognized member at the time of the hazing, knew and failed to report to law enforcement that one or more of the organization's members were hazing another person, the organization may be subject to penalties under R.S. 14:40.8.

c. Students

- i. Any student who violates the provisions of Acts 635, 637 and 640 of the 2018 Regular Session and Act 382 of the 2019 Regular Session of the Louisiana Legislature and this Policy shall be expelled, suspended, or dismissed from the institution and not permitted to return for at least one semester, quarter, or comparable academic period and may be subject to criminal charges.
- ii. Consent is not a defense. It is not a defense to prosecution of an offense that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.
- iii. Any student who fails to seek assistance as defined by the law and this Policy shall be subject to penalties outlined in R.S. 14:40.8.

Review Process:

Legal Counsel
System President
Chief Student Affairs Officers

Distribution:

University Presidents
Vice Presidents for Academic Affairs
Vice Presidents for Student Affairs