



UNIVERSITY of  
**LOUISIANA**  
L A F A Y E T T E

## Office of Student Affairs **HAZING POLICY** [Effective August 1, 2019]

### **I. Policy Statement**

In compliance with Acts 635, 637, and 640 of the 2018 Regular Session of the Louisiana Legislature as well as Act 382 of the 2019 Regular Session of the Louisiana Legislature (the “Hazing Laws”), the 2018 Louisiana Board of Regents Uniform Policy on Hazing, and the University of Louisiana System Policy, the University of Louisiana at Lafayette (“University”) reaffirms in this Policy its mandate that any form of Hazing of any student is prohibited. Violation of this Policy can result in both disciplinary action imposed by the University, as well as criminal charges.

### **II. Purpose of Policy**

The University, including the Office of Student Affairs, is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life, and thoughtful study and discourse. The student conduct program within the Office of Student Rights and Responsibilities is committed to an educational and developmental process that balances the interests of individual students with the interests of the University community.

Acts of Hazing are considered irresponsible, intolerable, and inconsistent with the University’s mission. Student Organizations and/or individual members found to have engaged in Hazing shall be in violation of this Policy and may be in violation of state law (La. R.S. 14:40.8).

#### **1. Prevention and Education Programs**

- a. 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.
- b. 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.
- c. If the student receiving the information required is a minor, that information shall also be provided to the student’s parent or legal guardian.
- d. The Hazing prevention education required in this Policy shall include the information about criminal penalties for the crime of criminal Hazing. University shall also provide information 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.

#### **2. Organization Requirements to Operate at University**

Each Organization (as defined below in this Policy and in R.S. 17:1801.1), as a condition of operating at University, is required to

- a. Adopt this Hazing Policy, and shall include possible University sanctions against the Organization in the event of a reported or confirmed hazing incident and have a policy that prohibits hazing.
- b. Provide annually at least one (1) hour of Hazing prevention education that includes education relative to the applicable Hazing Policies to all members, prospective members, and anyone who is employed by or volunteers with the Organization. The education may be provided in person, electronically, or both.
- c. Report annually to the University the students, employees, and volunteers who have received the education required with an attestation from each that they received that education.

### 3. Reporting Requirement

- a. 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 Dean of Students, University Police, or Student Rights & Responsibilities.
- b. Any violation of this policy shall be investigated by the University and appropriate disciplinary action taken.

### 4. Duty to Seek Assistance

In accordance with the Hazing Laws, 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.

### 5. Consent

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. Applicability

This Policy is applicable to and enforceable against all students, current and potential student Organizations, University alumni, and student Organization advisors.

## IV. Definitions

1. **Hazing:** is 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 the University of Louisiana at Lafayette, including but is not limited to:
  - a. 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.
  - b. 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:

- a.** Physical brutality, such as whipping, beating, paddling, striking, branding, electric shocking, placing of a harmful substance on the body, or similar activity.
- b.** 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.
- c.** 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.
- d.** 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.
- e.** All forms of physical activity not part of an organized and voluntary athletic contest or not specifically directed toward constructive work.
- f.** Any activity that might reasonably bring physical harm to an individual.
- g.** Any activity that would be viewed by a reasonable person as subjecting an individual to embarrassment, degradations, humiliation, ridicule, or intimidation.
- h.** Any action or situation which may lead to compromising an individual's self-respect, moral or religious values, or suffering mental or emotional harm.
- i.** Kidnapping, imprisoning, or abandoning an individual which endangers the health or safety of that individual.
- j.** Planned activities intended to interfere with an individual's employment or family obligations.
- k.** Explicitly or implicitly requiring an individual to wear any degrading, inappropriate, or uncomfortable garments.
- l.** Preventing individuals from wearing any required garments or accessories.
- m.** Activities involving placement of substances on or in the body of an individual (e.g., eggs, paint, honey, etc.).
- n.** Explicitly or implicitly subjecting an individual to cruel and unusual psychological conditions and/or any form of verbal harassment.
- o.** Any form of personal servitude (e.g., driving, cleaning rooms, serving meals, washing cars, purchasing items on another's behalf, etc.).
- p.** Explicitly or implicitly forcing participation in any activity which is illegal, perverse, publicly indecent, or contrary to the individual's genuine morals and/or beliefs (e.g., public profanity, indecent or lewd conduct, sexual gestures in public, etc.).
- q.** Individuals being solely responsible for an Organization's chapter obligations.

- r. Explicitly or implicitly causing, inducing, pressuring, coercing, or requiring an individual to violate any federal, state, or local law, and/or University policy.

It is important to note, 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."

2. **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.
3. **Pledging**: is any action or activity related to becoming a member of an Organization, including recruitment and rushing.
4. **Appropriate Authority**: is:
  - a. Any state or local law enforcement agency;
  - b. A 911 Public Safety Answering Point, as defined in Title 33 of the Louisiana Revised Statutes of 1950;
  - c. Emergency medical personnel;
  - d. Dean of Students; and/or
  - e. Student Rights & Responsibilities.
5. **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.
6. **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.

## V. Reporting & Sanctions

1. **Organizations and Affiliates**
  - a. 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 as soon as practicable to the Dean of Students or her designee.
  - b. 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 as soon as practicable to the Dean of Students or her designee.
  - c. A standardized form that Organizations shall use in making the reports required is attached to this Policy as Appendix A.

- d. If any person serving as a representative or officer of an Organization (including, but not limited to, any representative, director, trustee, or officer of any national or parent organization) knew and failed to report, as soon as practicable under the circumstances, to law enforcement that one or more of the Organization's members were Hazing another person, the Organization may be subject to penalties under La. R.S. 14:40.8.

## **2. Students**

- a. Any student who violates the provisions of the Hazing Laws and/or this Policy shall be expelled, suspended, or dismissed from the University; will not be permitted to return for at least one semester; and may be subject to criminal charges.
- b. Any student who fails to seek assistance as defined by the Hazing Laws and this Policy shall be subject to the penalties outlined in La. R.S. 14:40.8.
- c. Personally identifiable information of any person who reports or witnesses violations of the [Student Code of Conduct](#) or other policy intended for the safety of students or employees of the University is protected from Louisiana public record laws, unless access to this information is specifically required by other provisions of Louisiana or federal law or court order.

## **3. University**

- a. When the University receives a report alleging the commission of an act or acts of Hazing by one or more members of an Organization, the University shall:
  - i. Report, as soon as practicable under the circumstances, the alleged act or acts to University Police or the law enforcement agency having jurisdiction in the place where the alleged act or acts of Hazing occurred. The information reported to law enforcement shall include all details received by the University relative to the alleged incident, with no information being redacted, including the name of all individuals alleged to have committed the act or acts of Hazing; and
  - ii. 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 in R.S. 14:40.8, and any other information relative to the University's investigation, processing, and resolution of the incident.
- b. A standardized form that the University shall use to document such reports made to law enforcement as provided by La. R.S. 14:40.8 and the manner in which each hazing incident is handled and resolved at the University level is attached to this Policy as Appendix B.
- c. If the University fails to comply with the provisions of the Hazing Laws it may be subject to the penalties outlined in La. R.S. 14:40.8, including payment of a fine up to ten thousand dollars.

## **VI. Appendices**

The following Appendices are incorporated into this Policy:

- 1. Appendix A – Hazing Report Form for Organizations
- 2. Appendix B – Hazing Report Form for Institutions

## **VII. Adoption and Effective Date**

This policy is hereby adopted on this \_\_\_\_ day of \_\_\_\_\_, 2019, effective August 1, 2019.

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**Vice President for Student Affairs**