

University of Holy Cross Hazing Prevention Policy

Introduction

The University of Holy Cross (UHC) Hazing Prevention Policy, as delineated below, is inclusive of the Louisiana Board of Regents Uniform Policy on Hazing Prevention, which is compliant with Acts 635, 637, and 640 of the 2018 Regular Session of the Louisiana Legislature, otherwise known as the “Hazing Laws”.

Definitions

The UHC Policy accepts the definitions provided by the Louisiana Board of Regents Uniform Policy on Hazing Prevention as enumerated below.

1. “Hazing” means any intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against another when both of the following apply: 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; and/or the act was associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization. **Consent is not a defense.**
2. “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 or that adversely affects the physical health or safety of the individual or causes severe emotional distress; and,
 - d. any 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.
3. “Postsecondary education institution”, “education institution”, or “institution” is any postsecondary education institution in this state supported wholly or in part by public funds.
4. “Pledging” is any action or activity related to becoming a member of an organization, including recruitment and rushing.
5. “Appropriate authority” includes any state or local law enforcement agency, a 911 Public Safety Answering Point as defined in Title 33 of the Louisiana Revised Statutes of 1950, and, emergency medical personnel.
6. “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.

7. "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.
8. "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.

UHC further defines "hazing" as any act by one student, alone or acting with others, directed against any other student(s) that endangers the physical health or safety of the other person(s) or causes severe emotional stress and/or is associated with initiation, affiliation or participation in any University-sponsored organization.

"Hazing" also exists in situations where the perpetrator(s); subjects the student to indignity or humiliation; intimidates the student by threatening or ostracizing in public; submits the student to ignominy, shame, or disgrace amongst fellow students; humbles or has the intent to humble the pride, stifle ambition, or blight the courage of the student(s) attacked; subjects the student(s) to any physical activity that causes physical harm or discomfort or the commission of an illegal act; engages in legal assault, by striking, beating, bruising, maiming or any other physical violence, or merely seriously threatens to do these acts; and, discourages the student from remaining at the University or causes him or her to leave rather than submit to such acts.

For purposes of this Policy, hazing shall not include a 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.

UHC Policy Statement

The University, as a postsecondary education institution, will neither tolerate nor condone hazing in any form. Furthermore, consent by the person upon whom acts of hazing are committed is not a valid defense. UHC is thereby committed to ensuring a supportive educational environment free from hazing that promotes student mental and physical well-being, safety, and respect for one's self and others. This policy shall promote the safety of all students who participate in the Institutions' activities, programs, groups, teams, organizations, and associations.

Prevention and Education Programs

UHC students have access to the electronic posting of the Student Handbook, which contains the University of Holy Cross Hazing Prevention Policy.

Beginning in fall 2019, and every semester thereafter, all new students shall receive hazing prevention information during their orientation sessions. This information shall include corresponding student organization reporting requirements to the Director of Student Life.

A Response Team shall be formed (prior to fall 2019) and include, but not limited to the Director of Student Life (Chair), the Vice President for Student Engagement and Advising, the Counseling Center Director, the Chair of the Safety Committee, the Director of Campus Security, and the Campus Nurse.

Duty to Seek Assistance

Criminal penalties apply in cases where bystanders at the scene of injury fail to intervene. Any person at the scene of an emergency who knows that another person has suffered bodily injury caused by an act of hazing must notify Campus Police at 504-329-4430 in the daytime or 504-247-3825 during evening hours.

Campus Police will report to the scene and notify appropriate health care providers, the Office of the President, and the Response Team, as appropriate. While waiting for help to arrive, the person(s) at the scene shall give reasonable assistance to the injured person, without danger or peril to self or others.

Enforcement and Penalties

UHC recognizes its duty to investigate and report violations under the Hazing Laws and this policy. In an emergency, bystanders (see Section titled, "Duty to Seek Assistance) or the subject of hazing shall notify Campus Police and, depending of the severity of the situation, call 911.

Campus Police shall notify the Campus Nurse and the President. After the event, the Director of Campus Police shall provide a copy of the incident report to the President and Director of Student Life. Bystanders or the subject of hazing of a non-emergency nature shall submit complaints in writing to the UHC Director of Student Life.

As a follow-up to both emergency and non-emergency events, the Director shall activate the Response Team who shall conduct an investigation and report their findings. The Director is also responsible for initiating and expediting disciplinary action with regard to group offenses.

Failure to accept the responsibilities of group membership could subject the organization to permanent or temporary withdrawal of University recognition and/or support, social probation, denial of use of university facilities, or other appropriate action. The findings of the Response Team could result in criminal penalties against the perpetrator(s) and/or expulsion from the University. Individual students will bear responsibility for their own behavior according to the Student Handbook and the judicial processes described therein.

In order to ensure the safety of persons and property and to prevent any disruption of the educational and service functions of the campus, all assemblies, demonstrations, marches, rallies, or other events on the campus must be registered with and approved by the Director of

Student Life. Sponsoring groups or organizations and their officers or moderator(s) will be responsible for the conduct of such events, including arrangements for adequate safeguards. In the case of individual students not acting in the name of an organization, the student(s) registering and/or organizing the event will be held primarily responsible for the activities of the event and for the behavior of participants.

Data Maintenance

The Response Team is responsible for the collection and analysis of data pertaining to this policy. The Director of Student Life shall maintain the records, ensure that any disclosure of information is FERPA-compliant, and provide aggregate data to stakeholders, as appropriate.