

Hazing Prevention Standards

Introduction

Students at Nicholls are expected to be partners in the process of fulfilling the mission of the University by creating and maintaining standards within student groups, team and organizations that are conducive to personal growth and development. If student groups, teams, and organizations are to play an integral part in the University's plan, they must set standards that challenge each individual to achieve his or her greatest potential. Hazing is the antithesis of this goal, in that it attempts to tear down the feelings of individual pride and self-esteem of the individual, supposedly in order to create some esprit de corps in the group. Furthermore, Nicholls State University adheres to the [University of Louisiana System Policy \(Effective: 8/23/18\)](#), The [Louisiana Board of Regents Uniform Policy on Hazing Prevention](#) and upholds all LA statutes related to hazing. Student organizations and/or individual members found to have engaged in hazing shall be in violation of the Nicholls State University Standards of Conduct and [Louisiana Statute R.S. 14:40.8](#).

Purpose

1. To maintain a safe learning environment that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the Nicholls State University and Louisiana Law and are prohibited at all times. No student, faculty member, employee or administrator, guest, contractor or volunteer shall plan, direct, encourage, aid or engage in hazing.
2. to assist with preventing hazing;
3. to encourage reporting which is the responsibility of every member of the university community;
4. to accept the personal obligation to adhere to the basic community values of being civil, and respectful of others;
5. to protect the safety and rights of students; and
6. to preserve the educational environment.

Definitions

1. **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:
 - 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:

- ❖ 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."

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**
 - 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.
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.

Reporting Requirement

In accordance with [ACT-382](#), (1) The Board of Regents, in consultation with the public postsecondary education management boards, shall develop the following: (a) A [BOR Standardized Form for Organizations](#) that organizations shall use in making the reports required. (b) A [BOR Standardized Form for Institutions](#) that institutions shall use to document such reports, reports made to law enforcement as provided in R.S. 14:40.8, and the manner in which each hazing incident is handled and resolved at the institution level. (2) it shall be the duty of all current and potential student organization members, pledges, officers, including any representative, director, trustee, or officer of any national or parent organization of to report, as soon as practicable under the circumstances, to the Office of Student Conduct and to law enforcement that one or more members of the organization's members were hazing another member. 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 (a) 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 shall include all details received by the institution 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. (b) Document in writing all actions taken with regards 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 institution's investigation processing and resolution of the incident Any education institution who fails to comply with the provisions of this Paragraph may be subject to a fine of up to ten thousand dollars. R.S. 17:1801(C)

Duty to Seek Assistance

In accordance with Act 637 of 2018, codified at [R.S. 14:502](#) A. (1) any person at the scene of an emergency who knows that another person has suffered serious bodily injury 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. Reasonable assistance includes immediately seeking or reporting the need for medical assistance from an appropriate authority. (2) Any person who engages in reckless behavior that results in the serious bodily injury of any person shall, to the

extent that the person can do so without danger or peril to self or others, give reasonable assistance to the person. Reasonable assistance includes immediately seeking or reporting the need for medical assistance from an appropriate authority.

B. For purposes of this Section:

(1) "Appropriate authority" includes:

(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.

(2) "Reckless behavior" means 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, including activity which is defined as a criminal offense under this Title.

(3) "Serious bodily injury" means 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.

C. (1) Except as provided in Paragraph (2) of this Subsection, any person who violates the provisions of this Section shall be fined not more than one thousand dollars, imprisoned with or without hard labor for not more than one year, or both.

(2) If the serious bodily injury results in the death of the person, any person who violates the provisions of this Section shall be fined not more than two thousand dollars, imprisoned with or without hard labor for not more than five years, or both.

Hazing Education

Not later than August 1, 2018, the Board of Regents shall develop and adopt a uniform policy ([BORUP](#)) on hazing prevention. The policy shall define hazing as defined in R.S. 17:1801. Each postsecondary education institution shall adopt the uniform policy developed by the Board of Regents. An institution may expand the definition of hazing to prohibit additional behaviors it determines may be dangerous but shall not otherwise amend the definition.

1. 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.
2. 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.
3. If the student receiving the information required in this sub section is a minor that information shall also be provided to his parent or legal guardian.
4. Each organization as defined in R.S. 17:1801 shall provide annually at least one hour of hazing prevention education to all members and prospective members. 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 receiving such education evidenced by an attestation of the student receiving the education.

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 under the circumstances to law

enforcement and the institution with which it is affiliated. The information shall be reported on the [Hazing Reporting Form](#) and shall include all details received by the institution 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.

- 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 to the institution with which it is affiliated.
- c. 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](#).

2. Students

- a. Any student who violates the provisions of Acts 635, 637 and 640 of the 2018 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.
- b. 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.
- c. 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](#).

Using the [Hazing Reporting Form](#) report hazing to any of the following administrators/offices:

*University Police Department	(985) 448-4911	Dean of Students	(985) 448-4081
Coordinator of Greek Life	(985) 448- 4527	*Director of Conduct Accountability	(985) 448-4531

*Denotes Mandatory Reporting