

SOUTHERN UNIVERSITY LAW CENTER



HAZING PREVENTION HANDBOOK

Fall 2019

Office of Student Affairs
Southern University Law Center
P.O. Box 9294
Baton Rouge, LA 70813

PREFACE

In 2018, the Louisiana Legislature passed a package of bills that addresses the growing problem of hazing on Louisiana university campuses. The new laws strengthen penalties for hazing, require colleges and universities to provide hazing prevention training and education to all incoming students and organization members, to require reporting of all hazing incidents and provide protections to those who report it, and penalize those who do not seek help for someone in distress as a result of hazing.

In accordance with state law, the Southern University Law Center adopted a Hazing Prevention Policy on September 18, 2018. This handbook helps to implement and enforce the hazing prevention policy, by providing explanations of the law as well as resources and forms to aid in compliance.

Contained in this handbook you will find the following:

- Southern University Law Center Hazing Prevention Policy
- Uniform Hazing Reporting Form for Institutions
- Uniform Hazing Report Form for Organizations
- Student Organization Hazing Prevention Education Requirement Insert
 - Student Organization Hazing Prevention Education Attestation Form
 - Student Organization Hazing Prevention Education Report
 - Student Organization Hazing Prevention Education Course (*forthcoming*)

If you have any questions, please contact:

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Southern University Law Center Hazing Prevention Policy

POLICY NUMBER

1-000

Responsible Unit <i>Office of Student Affairs</i>	Effective Date <i>September 18, 2018</i>
Responsible Official <i>Chancellor of the Law Center</i>	Last Reviewed Date <i>October 17, 2019</i>
Policy Classification <i>Students Affairs</i>	Origination Date <i>September 1, 2018</i>

I. PURPOSE

- A. The purpose of this policy is to provide clear guidelines on hazing prevention at Southern University Law Center.

II. APPLICATION: POLICY SCOPE AND AUDIENCE

- A. This policy applies to administration, faculty, staff and students.
- B. In accordance with Acts 635, 637 and 640 of the 2018 Regular Session of the Louisiana Legislature and Act 382 of the 2019 Regular Legislative Session of the Louisiana Legislature ("Louisiana Hazing Laws"), the Law Center hereby adopts this Policy on Hazing Prevention. This Policy aims to enhance the Legislature's efforts to establish statewide mandatory requirements and is designed to help all Law Center governed constituencies maintain safety for all students who participate in Law Center activities, programs, groups, and organizations.
- C. The Law Center's Hazing Prevention Policy maintains the definitions of key terms and other mandatory provisions of Acts 640, 635, 637 of 2018, and Act 382 of the 2019 and shall remain consistent with those Acts. (Codified at La. R. S. 17:1801, 17:1801.1, 17:1805; La. R. S. 14:40.8 and La. R. S. 14:502)

III. POLICY STATEMENT AND RATIONAL

- A. Southern University Law Center does not condone hazing in any form. The Law Center specifically prohibits hazing and is committed to taking all reasonable measures to address

hazing, including without limitation: adoption of effective policies; clear communication to campus organizations, students and other stakeholders of laws and policies; prompt and faithful enforcement thereof; education; and training. The Law Center is committed to providing a supportive educational environment free from hazing; one that promotes its students' mental and physical well-being, safety and respect for one's self and others. The Law Center implements policies and has procedures in compliance with the Southern University Board of Supervisors' Hazing Prevention Policy and will take prompt and appropriate action to investigate and effectively discipline those accused of prohibited conduct in a manner consistent with all applicable laws.

IV. POLICY DEFINITIONS

- A. Governed institution, educational institution, or institution is any institution or campus governed by the Southern University Board of Supervisors that is supported wholly or in part by public funds.
- B. **Hazing** means any intentional, knowing or reckless act by a person acting alone or acting with others that is direct against another when both of the following apply:
1. 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
 2. The act was associated with pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization
 3. Consent is not a defense.
 4. 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.
 - 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.
- C. **Organization** is a fraternity, sorority, association, corporation, order, society, corps, cooperative, club service group, social group, or similar group whose members are primarily students at, or former students of Southern University Law Center, including the national or parent organization of which any of the underlying entities provided for in this definition is sanctioned or recognized member at the time of the hazing.

- D. **Pledging** is any action or activity related to becoming a member of an organization, including recruitment and rushing.
- E. **Appropriate authority** includes:
 - 1. Any state or local law enforcement agency.
 - 2. A 911 Public Safety answering Point as defined in Title 33 of the Louisiana Revised Statutes of 1950.
 - 3. Emergency medical personnel.
- F. **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.
- G. **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. POLICY IMPLEMENTATION PROCEDURES

After adoption of this Hazing Prevention Policy, the Law Center will:

- A. Post the policy on its website;
- B. Develop a Hazing Prevention Handbook;
- C. Disseminate a hard copy of this policy to all students at orientation; or
- D. If orientation has occurred prior to the adoption of this policy, disseminate a hard copy to all students via email;
- E. Incorporate the policy into the Student Organization Handbook and the Code of Student Conduct;
- F. Revise or expand all related Law Center policies;
- G. This policy complies with all applicable laws and regulations. The Law Center policy comports with:
 - 1. Act 635 of the 2018 Regular Session of the Louisiana Legislature, which creates the crime of criminal hazing, provides definitions and exceptions, and establishes exceptions and penalties;
 - 2. Act 637 of the 2018 Regular Session of the Louisiana Legislature, which creates an obligation to offer reasonable assistance, including seeking medical assistance to someone who has suffered serious bodily injury caused by reckless behavior, including hazing; and
 - 3. Act 640 of the 2018 Regular Session of Louisiana Legislature, which prohibits hazing at Louisiana's postsecondary institutions requires BOR to adopt a uniform policy on hazing prevention, requires postsecondary institutions to adopt and expand BOR's uniform policy in a manner consistent with the laws and BOR policy.
 - 4. Act 382 of the 2019 Regular Legislative Session of the Louisiana Legislature, which amended La. R.S. 14:40.8, 17:1801, 17: 1801.1, and 17:1805.

VI. PREVENTION AND EDUCATION

A. The Law Center institutes the following measures to prevent and address hazing, beginning in fall 2019:

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. In addition to the requirement of providing educational information in the form of a handbook as provided in the previous paragraph, beginning in the fall semester of 2019, each new student shall be provided educational information on the dangers of and prohibition of hazing during the new student orientation process either in person or electronically.
3. Each organization as defined above in this Policy and in La. R. S. 17:1801.1 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 Office of the Vice Chancellor for Student Affairs relative to the students receiving such education evidenced by attestations of the students receiving the education.
4. 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 or 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 Hazing Laws.

B. Duty to Seek Assistance

1. In accordance with La. 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 by seeking or reporting the need for medical assistance from the appropriate authority.
2. In accordance with La. R.S. 14:502(A)(2), any person who engages in reckless behavior, including hazing, that results in 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 by seeking or reporting the need for medical assistance from an appropriate authority.

C. Reporting Requirement:

1. All campus organizations and institution officials are required to report any allegations that involves the commission of an act or acts of hazing to law enforcement as soon as practicable under the circumstances, and with all details known to the organizations or institutions with "no redactions", including names of all individuals alleged to have committed the act or acts of hazing.

2. Any 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 and the place where the alleged act or acts of hazing occurred. The information reported to law enforcement as required law 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. Failure to report could result in a maximum penalty of \$10,000 for violation of R.S. 14:40.8.
3. Required Documentation: The information reported to law enforcement shall include all information and 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 identified in the report. The institution shall also 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 institution's investigation, processing, and resolution of the incident.
4. All campuses and campus organizations shall utilize the standardized form developed by the Louisiana Board of Regents to report allegations of hazing. That form shall be immediately turned into to the campus Office of Student Affairs. The vice chancellor shall forward the form and allied documents to SU System Office of the General Counsel for submission to the Board of Regents.

D. Penalties

1. A person who takes part in hazing activities that result in death, a serious bodily injury or the victim's blood alcohol level reaching at least .30 would face up to five years in prison and can be fined up to \$10,000.
2. When hazing doesn't lead to death, a person can be fined up to \$1,000 and six months in prison.
3. Any person at the scene of an emergency where another person suffers serious bodily harm must give reasonable assistance to the injured person, including seeking help or reporting the need for help to the appropriate authority. Persons who fail to immediately report the need can be fined up to \$1,000, imprisoned up to one year or both. If the injury results in death, the offender can be fined up to \$2,500, imprisoned up to five years or both.
4. Organizations - fraternities, sororities, associations, social clubs, athletic teams and similar college groups - that knowingly allow hazing could also be fined up to \$10,000. Groups are required to report suspected hazing and provide anti-hazing education.

E. Enforcement of Laws, Southern University Board of Supervisors Policy

1. The Law Center implements and enforces with full fidelity and consistency, the Hazing Laws as listed above and the Southern University Board of Supervisor Hazing Prevention Policy as its own policy.
2. The Law Center will expel or suspend students who haze others, after appropriate judiciary proceedings.

3. The identifying information of students who report hazing violations under the Student Code of Conduct is protected from public disclosure.
4. Failure of the Law Center to enforce or inconsistencies in enforcement, constitutes violation of the Hazing Laws and the Southern University Board of Supervisors policy.

VII. THE LAW CENTER RECOGNIZES THE FOLLOWING BEST PRACTICES

- A. Ongoing prevention and awareness campaigns may consist of programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to hazing prevention. An example of such an initiative or program is joining institutions across the country in the observance of National Hazing Prevention Week.
- B. The Law Center may create task forces to gather, analyze and understand institutional data on hazing. Effective hazing prevention presupposes an understanding of the cause, identifying any trends that the data show and assessment of the risk factors as well as protective measures
- C. The Law Center may develop intervention strategies and measures appropriate to its specific context and Law-Center affiliated organizations. The Law Center recognizes that the role of bystander intervention and social norming is key to hazing prevention and may be a part of Law Center intervention strategies. The Law Center understands that bystander intervention hazing and social norming is a valuable part of any education and training aimed at preparing faculty, staff and community members in understanding hazing issues and statistics on its campus.
- D. At the beginning of the academic year, the Law Center may convene teams with the necessary expertise to develop a response plan delineating the procedures for handling any hazing incident.

VIII. POLICY IMPLEMENTATION PROCEDURES

The Chancellor of the Law Center is charged with the implementation of the Hazing Prevention Policy.

To report an allegation of hazing, individuals, campus officials, or campus organizations shall utilize the following:

- i. Form A: Board of Regents Standardized Form for Institutions
- ii. Form B: Board of Regents Standardized Form for Organizations

IX. POLICY HISTORY AND REVIEW CYCLE

This is a newly created policy. It is subject to a five-year policy review cycle.

X. EFFECTIVE DATE OF HAZING PREVENTION POLICY

This policy shall be effective September 19, 2018. This policy was revised on October 17, 2019.

HAZING REPORT FORM FOR INSTITUTIONS

NOTE:

1. This standardized form, developed by the Board of Regents pursuant to Act 382 of 2019, is to be used by postsecondary institutions to report to law enforcement, as soon as practicable, any information received by any official at the institution regarding incidents of hazing.
2. This report contains unredacted information, as required by Act 382 of 2019. Subsequent use and disclosure of this report remains subject to applicable laws and regulations, including the Family Educational Rights and Privacy Act and the Health Insurance Portability and Accountability Act.

INFORMATION ABOUT INSTITUTION			
Name of Institution			
Name of Affiliated Organization(s) Relevant to the Incident			
Full Name and Title of Contact Official at the Institution			
Address			
Phone Numbers	Home	Cell	Work
INFORMATION ABOUT PERSON(S) INVOLVED IN THE INCIDENT (USE ADDITIONAL FORMS FOR EACH PERSON INVOLVED)			
Full Name			
Attending Institution			
Affiliated Organization (Member or Pledge)			
Home Address			
Phone Numbers	Home	Cell	Work
INFORMATION ABOUT THE INCIDENT			
Date of Incident	Time	Police Notified <input type="checkbox"/> Yes <input type="checkbox"/> No	
Location of Incident <input type="checkbox"/> On campus <input type="checkbox"/> Off- campus			
Specific Location			
Description of Incident (what happened, how it happened, individuals involved, factors leading to the event, etc.) Be as specific, complete and accurate as possible and do not redact any information known to the institution official(s) (attached additional sheets if necessary)			
Were there any witnesses to the incident? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, attach separate sheet with names, addresses, and phone numbers.			

HAZING REPORT FORM FOR ORGANIZATIONS

NOTE:

1. This standardized form, developed by the Board of Regents pursuant to Act 382 of 2019, is to be used by organizations affiliated with postsecondary institutions to report any information received by the organization regarding incidents of hazing.
2. Organizations must send this report to law enforcement and the affiliated institution as soon as practicable.
3. This report contains unredacted information, as required by Act 382 of 2019. Subsequent use and disclosure of this report remains subject to applicable laws and regulations, including the Family Educational Rights and Privacy Act and the Health Insurance Portability and Accountability Act.

INFORMATION ABOUT ORGANIZATION			
Name of Organization			
Affiliated Institution			
Name of Affiliated Parent or National Organization			
Full Name and Title of Contact Official at the Organization			
Address			
Phone Numbers	Home	Cell	Work
INFORMATION ABOUT PERSON(S) INVOLVED IN THE INCIDENT (USE ADDITIONAL FORMS FOR EACH PERSON INVOLVED)			
Full Name			
Affiliated Organization (Member or Pledge)			
Home Address			
Phone Numbers	Home	Cell	Work
INFORMATION ABOUT THE INCIDENT			
Date of Incident	Time	Police Notified <input type="checkbox"/> Yes <input type="checkbox"/> No	
Location of Incident <input type="checkbox"/> On campus <input type="checkbox"/> Off- campus			
Specific Location			
Description of Incident (what happened, how it happened, individuals involved, factors leading to the event, etc.) Be as specific, complete and accurate as possible and do not redact any information known to the institution official(s) (attached additional sheets if necessary)			
Were there any witnesses to the incident? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, attach separate sheet with names, addresses, and phone numbers.			
Was the individual injured? If so, identify the individual and describe the injury (e.g. laceration, sprain, etc.), location of injury (e.g. upper arm, shoulder), and any other information known about the resulting injury.			

SOUTHERN UNIVERSITY LAW CENTER STUDENT ORGANIZATION HAZING PREVENTION EDUCATION REQUIREMENT

In accordance with the Southern University Law Center Hazing Prevention Policy, effective September 18, 2018, each recognized SULC Student organization will be required to provide annually at least one hour of hazing prevention education to all members and prospective members of its organization.

The education may be provided in person, electronically, or both. The hazing prevention education will provide information regarding:

- What constitutes hazing;
- The dangers of and prohibition against hazing;
- The duty to assist a victim of hazing;
- The duty to immediately report, in writing, any violation of the Hazing Prevention Policy to the appropriate University official using the attached Uniform Reporting Form.
- Criminal penalties for the crime of hazing.
- Law Center sanctions for hazing.

Each organization shall submit a report annually to the University relative to the students receiving such education evidenced by an attestation of the student receiving the education.

To help ensure compliance with the hazing prevention education requirement, a sample "Hazing Prevention Education Report Form" and a "Hazing Prevention Education Attestation Form" are attached.

Failure to comply with organization responsibilities, including the duty to report incidents of hazing, and failure to comply with the hazing prevention education requirement, may result in revocation of the organization's charter.



SOUTHERN UNIVERSITY LAW CENTER STUDENT ORGANIZATION HAZING PREVENTION EDUCATION ATTESTATION FORM

As a member of _____, I hereby attest to the fact that I have
(Organization Name)
received at least one hour of hazing prevention education during the _____
(Academic Year)
academic year, in person/electronically, on _____. The hazing prevention
(Date of Education)
education included information regarding:

- What constitutes hazing;
- The dangers of and prohibition against hazing;
- The duty to assist a victim of hazing;
- My duty to immediately report, in writing, any violation of the Hazing Prevention Policy to the appropriate University official. A reporting form is attached; and
- Criminal penalties for the crime of hazing.

Signed: _____ Date: _____



SOUTHERN UNIVERSITY LAW CENTER STUDENT ORGANIZATION HAZING PREVENTION EDUCATION REPORT

All training and documentation must be submitted to the Office of Student Affairs no later than **October 15** of each academic year. Please forward completed form and documentation to:

Shenequa L. Grey
Associate Vice Chancellor
Office of Student Affairs
Southern University Law Center

Date: _____

Academic Year: _____

Organization: _____

Name of person submitting report: _____

Organization title of person submitting report: _____

_____ has provided one hour of annual hazing
(Organization Name)
prevention education to all members of the organization on
_____, as evidence by the attached attestations of the _____
(Date) # of attestations
members of the organization and the attached organization roster.

Organization Representative

Date