

LOYOLA UNIVERSITY NEW ORLEANS

HAZING POLICY

I. POLICY STATEMENT

Loyola University New Orleans seeks to promote a safe setting where students may participate in activities and organizations without compromising their health, safety, and welfare. Thus, Loyola University New Orleans will not tolerate any form of hazing and severe actions will be taken against any student or organization found in violation of this policy, up to and including indefinite revocation of the charter for the organization and suspension or dismissal for students involved. Our University is committed to supporting an environment that encourages respect for the dignity and rights of the entire university community, which includes students, faculty, staff, and visitors.

II. DEFINITIONS

“Hazing” is defined as 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:

1. The person knew or should have known that the 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.

Consent is *not* a defense.¹

An **“educational institution, postsecondary education institution, or institution”** is any postsecondary education institution in the state of Louisiana that is supported wholly or in part by public funds. This definition includes Loyola University New Orleans.

An **“organization”** is defined as 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, an elementary or secondary school or a postsecondary education institution in this state. Further includes the national or parent organization of which any of these underlying entities is a sanctioned or recognized as a member at the time of the hazing.

“Pledging” is defined as any action or activity related to becoming a member of an organization, including recruitment and rushing.

¹ La. R.S. § 17:1801 (2018) (effective May 1, 2018).

“Reckless Behavior” is defined as an activity or behavior in which a reasonable person knew or reasonably should have known that the activity or behavior may result in an 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.

“Serious Bodily Injury” is defined as 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.

“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, and (3) emergency medical personnel.

III. PROHIBITED ACTIONS AND ACTIVITIES

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

- Physical brutality including but not limited to whipping, beating, striking, punching, paddling, branding, tattooing, electronic shocking, placing of a harmful substance on the body, or similar activity;
- Physical activity including but not limited to 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 or that adversely affects the physical health or safety of the individual or causes severe emotional distress;
- Activity that includes, causes, or requires an individual to perform a duty or task that involves the commission of a crime or an act of hazing;
- Any form of psychological abuse, deception, or shocks;
- Requiring individuals to line-up, walk, or march in a formation of any kind;
- Publicly wearing apparel that is conspicuous or not in good taste (uniforms, head apparel, boots/shoes, etc.);
- Not permitting individuals to speak for extended periods of time and/or forced exclusion from social contact;
- Activity that interferes with an individual’s scholastic pursuits including, but not limited to, class attendance, preparation, study time, etc.
- Conducting unauthorized scavenger hunts, treasure hunts, quests, road trips, paddle hunts, big brother/little brother hunts, big sister/little sister hunts;
- Servitude of any nature (food runs, personal errands, academic work, etc.);

- Conducting a new member related activity between the hours of 12:00 midnight and 7:00am or awakening individuals during these hours;
- Nudity at any time;
- Yelling, screaming, or calling individuals demeaning names;
- Engaging in unauthorized activities that involve compelling an individual or group of individuals to remain at a certain location or transporting anyone anywhere, within, or outside the city of New Orleans (road trips, kidnaps, sneaks, drops, etc.);
- Assigning or endorsing "pranks" (stealing composites, trophies, mascots, etc.);
- Conducting activities designed to deceive or convince new members that they will not be initiated or will be hurt;
- Carrying of any items (paddles, bricks, rocks, pocket change, dog collars, signature books, etc.);

Note, 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 University.

IV. HOW TO REPORT HAZING

If you are being hazed or know someone who is hazing or being hazed, come forward and report it online by filing out an *Incident Reporting Form* located at:

<https://cm.maxient.com/reportingform.php?LoyolaUnivNO>. Students and the community are strongly encouraged to report possible hazing incidents.

If you wish to report anonymously, fill out the *Silent Witness Form* located at:

<http://finance.loyno.edu/police/silent-witness-form>. This system is monitored Monday through Friday from 8:00 a.m. to 5:00 p.m. Please be assured that the *Silent Witness Form* is completed under the condition of anonymity. If you wish to be contacted, please complete the 'Contact Information' section at the bottom of the form. All information is kept confidential.

For immediate service, call University Police at (504) 865-3434.

V. INSTITUTIONAL RESPONSE TO HAZING

Loyola University New Orleans will enforce this policy through internal disciplinary procedures, the external prosecution of alleged offenders, or both. Individuals who participate in acts of hazing will be held accountable under this policy and the Code of Student Conduct. In addition, the Office of Student Conduct may refer conduct that may constitute a violation of criminal law to appropriate law enforcement officials, subject to the requirements of governing law. For more information regarding the Code of Student Conduct, please call the Office of Student Conduct at (504) 845-3428 or visit <http://studentaffairs.loyno.edu/student-handbook>.

VI. SANCTIONS

The State of Louisiana has enacted legislation making hazing a criminal offense.² Loyola University New Orleans's policy on hazing reflects those laws. Hazing poses substantial risks to the safety and well-being of the individual students and the University community. As such, violations of this policy will result in referral to the *Office of Student Conduct* and possible disciplinary action may include, but is not limited to, any or all of the following: suspension, expulsion, or dismissal from the University for at least one semester, quarter, or comparable academic period, loss of University recognition, privileges, and participation in educational programs, other educational or remedial actions appropriate to the circumstances, and referral to law enforcement.

The crime of hazing prohibits any person from committing an act of hazing as defined by law, regardless of whether the person voluntarily allowed himself to be hazed or consented to the hazing. Penalties for a person who commits a criminal act of hazing shall be:

1. A fine up to \$1,000, imprisonment up to six months, or both.
2. If the hazing results in the serious bodily injury or death of the victim, or the hazing involves forced or coerced alcohol consumption that results in the victim having a blood alcohol concentration of at least 0.30 percent by weight based on grams of alcohol per one hundred cubic centimeters of blood, any person who commits an act of hazing shall be fined up to \$10,000 and imprisoned, with or without hard labor, for up to five years.

Moreover, 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 is a 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 the following penalties:

1. Payment of a fine of up to ten thousand dollars.
2. Forfeiture of any public funds received by the organization.
3. Forfeiture of all rights and privileges of being an organization that is organized and operating at the education institution for a specific period of time as determined by the court. If the hazing results in the serious bodily injury or death of the victim, or results in the victim having a blood alcohol concentration of at least 0.30 percent by weight based

² La. R.S. § 14:40.8 (2018) (effective August 1, 2018).

on grams of alcohol per one hundred cubic centimeters of blood, the period of time shall be for not less than four years.

Lastly, in compliance with Louisiana law, Loyola University New Orleans shall require 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 to others, give reasonable assistance to the injured person. Failure to seek assistance will result in a violation of Louisiana Revised Statutes 14:502.

Failure to comply with any applicable laws, regulations, including those listed above, shall constitute a failure to comply with Loyola University New Orleans's Hazing Policy and state laws.

VII. PREVENTION AND EDUCATION PROGRAMS

Pursuant to state law, Loyola University New Orleans will engage in best practices relating to hazing prevention. Prevention efforts will include but are not limited to:

- Ongoing hazing prevention and awareness campaigns
 - Regular programming, initiatives, and strategies focused on increasing understanding of topics relevant to hazing prevention
 - Observance of National Hazing Prevention Week
- Data collection and analysis
 - BIT Sub task force will gather, analyze, and seek to understand institutional data on hazing in order to identify the cause(s) of hazing incidents, recognize any trends that the data shows, and assess risk factors as well as proactive measures
- Effective intervention
 - Collaboration with relevant organizations and student bodies to develop appropriate intervention strategies and measures
 - Bystander intervention training
- Annual review of response plan
 - Collaborative team including coaches, Resident Advisors, Greek-lettered organization officials, and others will, prior to each new academic year, review response plan which delineates procedures for handling any hazing incident
- Complete and accurate information to parents and other stakeholders
 - Data on the instances of hazing, penalties or other disciplinary actions taken against an organization and/or its members in recent years for hazing-related incidents will be published online for prospective new members of organizations, parents, and other stakeholders

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