

## **Tulane University Hazing Policy**

Hazing includes, but is not limited to, acts of servitude and/or behavior that humiliates, degrades, embarrasses, harasses or ridicules an individual, or otherwise is harmful or potentially harmful to an individual's physical, emotional, or psychological well-being, as an actual or apparent condition for initial or continued affiliation with any group. A student or organization violates this standard regardless of either the lack of intent to cause harm or the hazed individual's own willingness to participate. Unless affirmative steps were taken by the responding student or organization to prevent the hazing behavior, conduct charges may be brought against the group, officers of the group, and members of the group who are deemed to have encouraged, witnessed or knew about the behavior, in addition to any conduct action against persons who engaged in the hazing behavior itself.

Any student or organization found responsible for hazing that meets Louisiana statutory definition of hazing will, at a minimum, be suspended from the university, and may face imprisonment up to 5 years and/or fines up to \$10,000. Hazing is defined by the state of Louisiana as follows:

**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:

- (i) 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.
- (ii) 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.

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:

- (i) Physical brutality, such as whipping, beating, paddling, striking, branding, electric shocking, placing of a harmful substance on the body, or similar activity.
- (ii) 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.
- (iii) 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.
- (iv) 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.

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.

**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.

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

**Appropriate authority** includes:

(i) Any state or local law enforcement agency.

(ii) A 911 Public Safety Answering Point as defined in Title 33 of the Louisiana Revised Statutes of 1950.

(iii) Emergency medical personnel.

**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.

**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.

These definitions apply to any registered student organization. A student acting on behalf of an unrecognized organization may also face conduct action.

In accordance with Act 637 of 2018, codified at R.S. 14:502, this policy 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 others, give reasonable assistance to the injured person.

Tulane University complies with any and all municipal, state and federal legislation, including the Louisiana hazing statutes. Reports of hazing will be turned over to local law enforcement, in compliance with applicable state laws.

# **THE LOUISIANA BOARD OF REGENTS UNIFORM POLICY ON PUBLIC INFORMATION ON HAZING PREVENTION**

## **I. POLICY STATEMENT**

The Board of Regents (BOR) does not condone hazing in any form at any postsecondary education institution in the state. All Louisiana postsecondary institutions shall prohibit hazing and take 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. All Louisiana postsecondary institutions shall be 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. All Louisiana postsecondary institutions shall implement policies and procedures in compliance with this policy and shall take prompt and appropriate action to investigate and effectively discipline those accused of such conduct in a manner consistent with all applicable laws.

## **II. INTRODUCTION**

In accordance with Act 382 of the 2019 Regular Session of the Louisiana Legislature ("Act 382"), the Louisiana Board of Regents ("BOR") hereby adopts this Uniform Policy on Public Information on Hazing Prevention ("Policy") applicable to all Louisiana postsecondary education institutions. This Policy aims to enhance the Legislature's efforts to make relevant non-confidential information on hazing incidents reported at an institution or by the institution's students available to the public in accordance with applicable laws and regulations. This Policy is intended to be implemented in conjunction with the BOR Uniform Policy on Hazing Prevention.

For purposes of this Policy, the definitions of key terms and other mandatory provisions shall remain consistent with those in Acts 640 and 635 and 637 of 2018, and Act 382 of 2019, codified at R.S. 17:1801.1, R.S. 14:40.8 and R.S. 14:502. BOR will amend this Policy to reflect any subsequent changes to these statutes. In cases of any inconsistency, the statutory provisions shall supersede any such inconsistent provision in this Policy. The statutory provisions and this Policy shall supersede any inconsistent provision in an institution's policy.

## **III. DEFINITIONS**

For purposes of this Policy, Information on Reported Hazing shall mean the information required to be reported by institutions and organizations to law enforcement under Act 382. All other terms, including Hazing, Institutions and Organizations, shall have the same meaning as defined in Acts 640, 635 and 637 of 2018 and Act 382 of 2019.

#### **IV. PUBLIC ACCESS TO INFORMATION ON REPORTED HAZING**

When an institution or organization receives sufficiently credible and specific information about an alleged act of Hazing, the institution or organization shall make the Information on Reported Hazing public, subject to the following restrictions and exemptions:

- a. The Information on Reported Hazing shall be redacted to comply to the fullest extent with applicable laws and regulations, including the Family Educational Rights and Privacy Act and the Health Insurance Portability and Accountability Act; and
- b. After necessary redactions have been made pursuant to Subsection IV(a) above, any other information or details that could reasonably lead to the identification of the individual(s) involved in the incident or reasonably jeopardize the safety of the person reporting the incident shall be redacted.

The Information on Reported Hazing, with the redactions authorized above, shall be made public on each institution's website specific to hazing; in addition, an institution may also make such information available on any platform related to hazing, such as brochures or other materials or other source of information that an organization or institution maintains or uses.