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Responsible Executive: Associate Provost and Vice President for Student Affairs
Responsible Office(s): Student Affairs
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Hazing Policy

Statement

Eastern Kentucky University is concerned about the emotional, psychological, and physical health and well-being of its students. Any form of hazing by individuals or groups is unacceptable and is in direct conflict with institutional values related to the rights and dignity of students, all of whom have the right to belong to groups without risk of danger or humiliation. Consent to hazing is never a defense to a violation of this policy.

Purpose

All Kentucky colleges and universities are required by state statute to adopt a policy regarding hazing. The intent of this policy is to set forth the University's position regarding hazing and to fulfill the directive by the state statute to establish a policy. The University believes that new and existing members of groups and teams can expect to participate in educational and enjoyable activities that build teamwork and camaraderie among all members of the group. Such activities are intended to create a sense of identity and commitment within a group and are generally acceptable and encouraged. However, students should never be subject to any form of hazing by either an individual or a group.

Entities Affected

All Members of the Campus Community, in particular:

- Band Members
- Club Sport Participants
- Members of Registered Student Organizations
- Members of University Affiliated Groups
- Social Sorority and Fraternity Members
- Student Athletes

Who Should Read

- Students – Especially those involved in organizations with pledging processes or new member programs
- Student-athletes, band members, Social Sorority and Fraternity Members, Registered Student Organizations (RSO), Club Sports, and any university affiliated groups

- Advisors to RSOs
- All Athletics Department Staff
- Faculty
- Alumni involved in the above mentioned organizations
- Office of Student Rights and Responsibilities
- All Student Affairs Staff

Background

House Bill 325 was enacted by the 1986 Session of the Kentucky General Assembly. KRS 164.375 states:

(1) The boards of trustees of the University of Kentucky and the University of Louisville and the boards of regents of those state colleges set out in KRS 164.290 shall, within ninety (90) days of July 15, 1986, adopt statements of campus policy which prohibit any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization. Such policy statements shall govern the conduct of students, faculty and other staff as well as visitors and other licensees and invitees on such campuses and property. The penalties for violations of such policy statements shall be clearly set forth therein and shall include provisions for the ejection of a violator from such campus and property, in the case of a student or faculty violator his suspension, expulsion or other appropriate disciplinary action and, in the case of an organization which authorizes such conduct, rescission of permission for that organization to operate on campus property. Such penalties shall be in addition to any penalty pursuant to the penal law or any other chapter to which a violator or organization may be subject. A copy of such policy statements which prohibit reckless or intentional endangerment to health or forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization shall be given to all students enrolled in said college and shall be deemed to be part of the bylaws of all organizations operating on said campus. (2) Nothing contained in this section is intended nor shall it be construed to limit or restrict the freedom of speech nor peaceful assembly.

Effective: July 15, 1986

History: Created 1986 Ky. Acts ch. 366, sec. 1, effective July 15, 1986.

Criteria

There are two primary conditions that create a hazing dynamic:

1) New members often wish to be accepted, either formally or informally, into any group, and will submit to hazing in order to be included. However, consent to be hazed does not excuse hazing. Students have died or been seriously injured as a result of participating in activities to which they have "consented." The psychological pull to be accepted is so strong that hazing victims cannot be expected to resist hazing, even if the hazing is presented as optional. That this pull can be so coercive should make this need to prohibit this conduct, to any degree, undeniably clear.

2) Any activity that places new or existing members in a subservient position to experienced members creates an unhealthy and unsafe power dynamic in which control has been yielded to

the experienced member. New or existing members in any organization may expect to be trained, oriented, or indoctrinated, but membership in any group that puts a new or existing member in a lesser role, unrelated to the original conditions for membership or mission of the group, is inappropriate and unfair to the new or existing members. Any activities of membership should be equally shared among experienced and new members in order to eliminate any possible elements of hazing or the perception of hazing.

Definitions

Hazing	<p>Hazing is any reckless or intentional act, occurring on or off campus, that produces physical, mental, or emotional pain, discomfort, humiliation, embarrassment, or ridicule directed toward other students or groups (regardless of their willingness to participate), that is required or expected of new members and which is not related to the mission of the team, group, or organization. This includes any activity, whether it is presented as optional or required, that places any member in a position of servitude as a condition of membership or continuing membership.</p>
Typical Forms of Hazing	<p>It would be impossible to list all behavior that could be deemed to be hazing. Hazing behaviors include but are not limited to the following:</p> <ol style="list-style-type: none"> 1. any physical act of violence expected of, or inflicted upon, another 2. any physical activity expected of, or inflicted upon, another, including calisthenics 3. pressure or coercion of another to consume any legal or illegal substance 4. making available unlawful substances 5. excessive fatigue or sleep deprivation as a result of any activities 6. forced exposure to the weather 7. kidnapping, forced road trips, and/or abandonment 8. required carrying of or possessing of a specific item or items 9. servitude (expecting a new member to do the tasks of an experienced member) 10. costuming and alteration of appearance 11. line-ups and berating 12. coerced lewd conduct 13. degrading games, activities or public stunts 14. interference with academic pursuits 15. violation of University policy

	16. assignment of illegal and unlawful activities
Offending Individual	<p>A person commits an offense if the person:</p> <ul style="list-style-type: none"> • engages in hazing; or • solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing; or • intentionally, knowingly, or recklessly permits hazing to occur; or • has firsthand knowledge of the planning of a specific hazing incident or firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report said knowledge to the appropriate ECU officials.
Offending Organization	<p>An organization commits an offense if the organization:</p> <p>Condone or encourages hazing or if any officer, member, pledge, or alumni of the organization commits, condones, encourages, or assists in the commission of hazing.</p>
Investigation Committee	<p>The Investigation Committee will be made up of:</p> <p>1 Staff Member - 3 year term</p> <p>1 Faculty Member – 2 year term</p> <p>1 Student Member (ideally a justice on the Student Court) – 1 year term</p> <p>1 Non-voting Advisor selected from the area (i.e. Athletics, Greek Life, Music Department, etc.) being investigated. This is designed to give input/background from the perspective of the group in question. This individual will be selected by and serve at the discretion of the committee.</p> <p>Associate Director for Student Involvement and Leadership – Ex Officio, non-voting member. (The purpose of this position is to help ensure consistency in the process from investigation to investigation and year to year. He/she can also double as the “non-voting Advisor” selected from the area being investigated should the incident involve Greek Students)</p> <p>Vacancies on this committee are nominated by the Vice President for Student Affairs and appointed by the President at the beginning of each academic year.</p>

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Responsibilities

Investigation Committee	<ul style="list-style-type: none"> Responsible for investigating and generating preliminary findings of facts for allegations against individuals for violations of the University Hazing Policy and Procedures. Responsible for investigation, generating findings of facts, and determining sanctions for allegations against groups for violations of the University Hazing Policy and Procedures. The committee will operate on a majority rules basis.
Vice President for Student Affairs	<ul style="list-style-type: none"> Responsible for nominating the Investigation Committee to the President each year
Associate Vice President for Student Affairs / Dean of Students	<ul style="list-style-type: none"> Responsible for hearing all appeals related to group responsibility. Sanctions against individuals are handled through the normal student disciplinary process.
Associate Vice President for Student Affairs	<ul style="list-style-type: none"> Responsible for the oversight of the University Hazing Policy and Procedures. Serves as a resource to the Investigation Committee

Procedures

Determination whether to perform an interim suspension	Determination is made by the appropriate entities in the area of question as to the legitimacy and severity of the allegation. Determination is then made as to the appropriateness to immediately suspend the organization pending a full investigation.
Investigation	A thorough investigation is completed with interviews of appropriate individuals who might have information about the allegation. A complaint must be in writing to initiate the process.
Identification of any inappropriate conduct	After interviewing all appropriate individuals, a determination is made as to the perceived facts regarding the allegation. Any inappropriate conduct must be associated with individuals, the group, or both.
Allegations against Individuals	Allegations against individuals for inappropriate conduct will be investigated by the Investigation Committee which will generate preliminary findings of facts. The preliminary finding of facts will be referred to the Office of Student Rights and Responsibilities.
Allegations against Groups	Allegations against groups for inappropriate conduct will be investigated by the Investigation Committee. The Investigation Committee will generate findings of facts and will determine appropriate sanctions for the group.
Appeals by Groups	In each case involving the imposition of a penalty or sanction, the accused group has the right to appeal the decision. An appeal of a disciplinary decision may be made only on justifiable grounds including irregularity in the proceedings, punishment inconsistent with the nature of the offense, or additional pertinent information not previously available to the Investigation Committee. Such appeals will be directed to the Associate Vice President for Student Affairs / Dean of Students (AVPSA). Groups who wish to appeal a decision must submit a written appeal to the AVPSA within five class days following the decision. The AVPSA has five class days to render a decision. The decision of the AVPSA is final.

Violations of the Policy

Violations of this policy may result in campus judicial action, organization sanctions, and may be subject to criminal prosecution. Any retaliation against any person who reports, is a witness to, or is involved with or cooperates with the investigation or adjudication of hazing is strictly prohibited.

Interpreting Authority

Associate Provost / Vice President for Student Affairs

Statutory or Regulatory References

KRS 164.375

House Bill 325, enacted by the 1986 Session of the Kentucky General Assembly.

KRS 164.370 provides that the Board of Regents may invest the faculty or a committee with the power to suspend or expel a student. Eastern Kentucky University's Student Disciplinary Council is the only body authorized to suspend or expel a student.

Relevant Links

N/A

Policy Adoption Review and Approval

Approved as an interim policy by the President on September 16, 2009.
Approved by the Board of Regents on January 25, 2010.