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APPROVED

Sk 11-1418
LCTCS BOARD OF SUPERVISORS

TO: Dr. Monty Sullivan
LCTCS President
FROM: Dr. Emily Campbell
Chief Enrollment Management Officer
SUBJECT: For Board Action: Revisions to LCTCS Policy #2.003,
Campus Safety and Hazing
DATE: 10/17/2018

FOR BOARD ACTION:

Recommendation: Staff recommends that the Board approve the attached revisions to
Policy #2.003, "Campus Safety and Hazing."

Background: Acts 635, 637, and 640 of the 2018 Regular Session of the Louisiana
Legislature further defined hazing in the context of criminality, required a statewide
uniform policy on hazing to be developed by the Board of Regents, and mandated hazing
prevention policies be developed and implemented at public postsecondary institutions
no later than the fall 2018 semester. Following a review of the amendments to Louisiana
hazing laws, and in accordance with the Board of Regents' Uniform Policy on Hazing
Prevention, the Chancellors and the Chief Student Affairs Officers worked with System
Office staff to revise LCTCS Policy #2.003. The revised policy takes an even broader
scope, with an expanded definition of hazing, and more prescriptive requirements for
hazing prevention education and punishments for those found guilty of hazing. Each
college will revise its policies in accordance with revised LCTCS Policy #2.003.

History of Prior Actions: Policy #2.003 was originally adopted on 2/14/2002. The
Policy was subsequently revised and approved by the Board on 12/13/2017. The attached
revisions were brought to the Board for review and advisement in September 2018.

Fiscal Impact: N/A

Benefits to the System: The revisions to Policy #2.003 will meet requirements outlined
in Acts 635, 637, and 640 and provide more defined guidance for college-level policies
on campus safety and hazing.

Monty Sullivan signature
Approved for Recommendation to the Board
Dr. Monty Sullivan

11/14/18
Date

LOUISIANA COMMUNITY & TECHNICAL COLLEGE SYSTEM
Policy # 2.003

Title: CAMPUS SAFETY AND HAZING

Authority: Board Action

Original Adoption: 02/14/02

Effective Date: 02/14/02

Last Revision: 12/13/17

The Board of Supervisors of the Louisiana Community and Technical College System (LCTCS) 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. In accordance with Louisiana Revised Statutes 17:1801.1, 14:40.8, 14.502, and the Board of Regents Uniform Policy on Hazing Prevention, all System colleges 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. Each college 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. Each System college shall implement and enforce with full fidelity and consistency the Hazing Laws, this policy, and the college's own policy. Failure to enforce or inconsistencies in enforcement shall constitute violation of the Hazing Laws and this policy. Each college shall develop a plan to disseminate its institutional policy on hazing to the campus community, including but not limited to student organizations, clubs, and athletic teams. The LCTCS shall make all due diligence efforts to monitor its member colleges' compliance with applicable laws, regulations, and this policy.

~~The Board of Supervisors of the Louisiana Community and Technical College System (LCTCS) is committed to providing a safe academic and social environment for all students. In accordance with Louisiana Revised Statute 17:1801, hazing in any form is prohibited at the System colleges. Each college shall establish a written policy and develop a plan to disseminate the policy to the campus community, including but not limited to student organizations, clubs, and athletic teams.~~

Institutional Policies

A copy shall be presented to the LCTCS Board. In cases of any inconsistency, the statutory provisions shall supersede any such inconsistent provision in this policy or in any System college policy. At minimum, each college policy should include:

~~A copy shall be presented to the LCTCS Board. At minimum, each college policy should include:~~

A. The following definitions:

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.

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 an 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. Pledging is the broader term related to the admission, initiation, joining, or any other group-affiliation activity on the basis of actual or perceived membership; pledging is not reserved solely for Greek organizations but, rather, applies to any student organization.

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.

• **The following definition of hazing:**

Any action taken or situation created, whether on or off college property, which has a potential for causing physical injuries or mental anguish to the individual. Hazing may include but is not limited to the following activities when these activities are life-threatening or are intended to hurt or physically or mentally humiliate the individual:

1. — Physical abuse such as kidnapping, paddling, slapping, branding, burning;
2. — Physical exercise, such as scavenger hunts, road trips, or any activity resulting in excessive fatigue, physical or psychological shock;
3. — Wearing apparel which is uncomfortable to the individual or, if worn publicly, is conspicuous or not normally in good taste;
4. — Engaging in public stunts, hair cutting, morally degrading or humiliating games or activities, giving of food or drink (alcoholic or non-alcoholic) which is distasteful or designed to provoke nausea or inebriation;
5. — Any form of verbal harassment, any action or situation which subjugates an individual to a condition where he/she might tend to lose self respect or suffer injury to personal or religious values;
6. — Any activities which interfere with the student's scholastic responsibilities; and
7. — The use of obscenities and vulgarities in dress, language, or action.

B. A Clear Statement About Consent

A clear statement that consent to hazing is not a defense.

• **A Clear Statement of Prohibition and a Duty to Report**

A clear statement that no student organization or individual shall employ a program of student initiation/pledge education or social events which includes hazing and that all current or potential student organization members and any faculty or staff member has a duty to report immediately, in writing, any violation of this policy to the appropriate institution administrator.

C. A Clear Statement of Prohibition

A clear statement that no student organization or individual shall employ a program of student initiation/pledge education or social events which includes hazing.

D. Duty to Report Provision

All current or potential student organization members and any faculty or staff member has a duty to report any violation of this policy to the appropriate institution administrator.

E. Expectations for Violations

In addition to potential criminal penalties related to hazing, any violation of this policy, including knowledge of and failure to report hazing activity, will result in expulsion, suspension, or dismissal, in the case of students, and may result in termination in the case of employees. Students will not be permitted to return for at least one semester. In addition, there will be a suspension of activities for a minimum of one academic year of any student organization that participates in hazing. Individuals accused of violations of this policy will be adjudicated through the college's codified student and/or employee judicial process, and may be subject to criminal penalties as outlined in Act 635.

• Expectations for Violations

Any violation of this policy, including knowledge of and failure to report, may result in expulsion in the case of students and termination in the case of employees, and a suspension of activities for a minimum of one academic year of any student organization that participates in hazing. Individuals accused of violations of this policy will be adjudicated through the college's codified student and/or employee judicial process.

F. Publication and Dissemination

College policies on hazing should be published on college and student organization websites and included in all Student Handbooks and Student Codes of Conduct.

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G. Prevention and Education Programs

All colleges shall implement the following measures to prevent and address hazing, beginning in fall 2018, unless otherwise noted:

- (i) 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.
- (ii) In addition to the requirement of providing educational information in the form of a handbook, 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.
- (iii) Each organization as defined above in this policy and in 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 institution with which it is affiliated relative to the students receiving such education evidenced by an attestation of the student receiving the education.
- (iv) 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 on 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 the Hazing Laws.

• Education, Awareness, and Prevention

~~Efforts should be made to provide policy training and campus awareness events that focus on education and prevention for all college faculty, staff, and students. College policies should state the methods used to provide education, awareness, and prevention activities.~~

H. Duty to Seek Assistance

In accordance with Act 637 of 2018, codified at R.S. 14:502, each college's 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. Each college's policy and educational information shall include the criminal penalties applicable to failure to seek assistance in violation of R.S. 14:502.

Recommended Best Practices

In addition to the mandatory components of college policies and practices, each college is encouraged to follow best practices for ongoing prevention and awareness campaigns, data collection and analysis, effective intervention, and response plans.

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