



*Changing Lives,
Creating Futures*

Monty Sullivan
System President

Officers:

Stephen Toups
Chair

Paul Price, Jr.
First Vice Chair

Willie L. Mount
Second Vice Chair

Members:

Tari T. Bradford
Helen Bridges Carter
Timothy W. Hardy
Alterman L. "Chip" Jackson
Erika McConduit
Michael J. Murphy
Joe Potts
Stanton W. Salathe
Stephen C. Smith
Mark D. Spears, Jr.
Craig Spohn
Vincent St. Blanc, III

Student Members:

Samantha Rushlow
Shanco "Shawn" Williams

Louisiana
Community
& Technical
College System

265 South Foster Drive
Baton Rouge, LA 70806

Phone 225-922-2800
Fax 225-922-1185

www.lctcs.edu

LOUISIANA COMMUNITY & TECHNICAL COLLEGE SYSTEM

TO: Dr. Monty Sullivan
LCTCS President

FROM: Dr. Emily Campbell *EC*
Chief Enrollment Management Officer

Dr. Amber Blair
Director of Student Engagement and Grant Initiatives

SUBJECT: For Board Action: Revisions to LCTCS Policy #2.003,
Campus Safety and Hazing

DATE: 9/23/2019

FOR BOARD REVIEW AND ADVISEMENT:

Recommendation: Staff recommends that the Board accept ~~for review and advisement~~ the attached revisions to Policy #2.003, "Campus Safety and Hazing."

Background: Act 382 of the 2019 Regular Session of the Louisiana Legislature further amends the requirements relative to criminal hazing from the 2018 Regular Session. There are six notable changes. First, policy language was altered to reference new Act 382. Second, the duty to report provision was expanded to require the use of a standardized reporting form developed by the Board of Regents and to submit these reports of alleged hazing incidents to law enforcement without redaction. Third, relative to the timing of reporting, "as soon as practicable under the circumstances" was added. Fourth, the Prevention and Education section was expanded to require parents of minor students to be recipients of hazing educational information. Fifth, student organization volunteers and employees were added to the group required to receive an hour of annual hazing training. Finally, section I. Authority of Campus Police was added to mirror Act 382. The Chancellors, Chief Student Affairs Officers, and legal counsel have worked with System Office staff to revise LCTCS Policy #2.003, and each college will revise its policies in accordance with the revisions.

History of Prior Actions: Policy #2.003 was originally adopted on 2/14/2002. The Policy was subsequently revised by the Board on 12/13/2017 and on 11/14/2018.

Fiscal Impact: N/A

Benefits to the System: The revisions to Policy #2.003 will meet requirements outlined in Acts 635, 637, 640, and 382 and provide more defined guidance for college-level policies on campus safety and hazing.

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

APPROVED

SK 10/9/19
LCTCS BOARD OF SUPERVISORS

10-09-19
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: 11/14/18

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, 17:1801.1, 17:1805, 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.

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. 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.

B. A Clear Statement About Consent

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

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. Any college that receives a report alleging the commission of an act of hazing by one or more members of an organization that is organized and operating at the college shall report, as soon as practicable under the circumstances, the alleged act or acts to the law enforcement agency having jurisdiction in the place where the alleged act or acts of hazing occurred. The information reported to law enforcement shall include all details received by the college 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. The college should 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, and any other information relative to the college's investigation, processing, and resolution of the incident. Colleges and organizations should use the standardized forms in making reports. Any college, organization, or individual that fails to comply with the provisions of reporting may be subject to criminal penalties as outlined in Act 635 and Act 382.

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 as soon as practicable under the circumstances, 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 and Act 382.

F. Publication and Dissemination

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

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 and

- parents of minor students 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,~~ and anyone who is employed by or volunteers with the organization. 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, employees, and volunteers receiving such education evidenced by an attestation of the ~~student~~ such individuals 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.

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.

I. Authority of Campus Police

For the purposes of R.S. 14:40.8, Hazing policies for colleges with campus police should include information on the rights of these police officers to carry concealed weapons and to exercise the power of arrest when discharging their duties for alleged acts of hazing committed by members of an organization that is organized and operating at the college for which a police officer is commissioned regardless of the location where the alleged acts occurred. A college police officer shall have the authority to discharge his or her duties off campus when investigating a crime of criminal hazing committed off campus by members of an organization that is organized and operating at the college.

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.

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: 11/14/18

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, 17:1801.1, 17:1805, 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.

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. 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.

B. A Clear Statement About Consent

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

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. Any college that receives a report alleging the commission of an act of hazing by one or more members of an organization that is organized and operating at the college shall report, as soon as practicable under the circumstances, the alleged act or acts to the law enforcement agency having jurisdiction in the place where the alleged act or acts of hazing occurred. The information reported to law enforcement shall include all details received by the college 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. The college should 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, and any other information relative to the college's investigation, processing, and resolution of the incident. Colleges and organizations should use the standardized forms in making reports. Any college, organization, or individual that fails to comply with the provisions of reporting may be subject to criminal penalties as outlined in Act 635 and Act 382.

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 as soon as practicable under the circumstances, 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 and Act 382.

F. Publication and Dissemination

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

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 and

parents of minor students 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, prospective members, and anyone who is employed by or volunteers with the organization. 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, employees, and volunteers receiving such education evidenced by an attestation of the such individuals 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.

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.

I. Authority of Campus Police

For the purposes of R.S. 14:40.8, Hazing policies for colleges with campus police should include information on the rights of these police officers to carry concealed weapons and to exercise the power of arrest when discharging their duties for alleged acts of hazing committed by members of an organization that is organized and operating at the college for which a police officer is commissioned regardless of the location where the alleged acts occurred. A college police officer shall have the authority to discharge his or her duties off campus when investigating a crime of criminal hazing committed off campus by members of an organization that is organized and operating at the college.

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.