

## NOTICE OF AMENDED REGULATION

September 5, 2014

### DEPARTMENT OF EDUCATION

Division of Universities  
University of North Florida

### REGULATION TITLE:

Prohibition Against Hazing

### REGULATION NO.:

5.0020R

### SUMMARY:

The amendment to the regulation includes an update of current prohibition and new reporting procedures.

### FULL TEXT:

The full text of the regulation being proposed is attached.

### AUTHORITY:

Florida Board of Governors Regulation 1.001(4)  
Florida Statutes 1006.63.

### UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:

Tom Serwatka, Vice President and Chief of Staff

### INDIVIDUAL TO BE CONTACTED REGARDING THE PROPOSED REVISED REGULATION:

Stephanie Howell, Paralegal, Office of the General Counsel, [showell@unf.edu](mailto:showell@unf.edu), phone (904)620-2828; fax (904)620-1044; Building 1, Room 2100, 1 UNF Drive, Jacksonville, FL 32224.

***Any comments regarding the amendment of the regulation must be sent in writing to the contact person on or before Friday, September 19, 2014, to receive full consideration.***

<b>Subject: Prohibition Against Hazing</b>		
<b>Number</b>	5.0020R	<input type="checkbox"/> New Regulation <input checked="" type="checkbox"/> Major Revision of Existing Regulation <input type="checkbox"/> Minor/Technical Revision of Existing Regulation <input type="checkbox"/> Repealed Regulation
<b>Effective Date</b>	05/16/2007	
<b>Revised Date</b>		
<b>Responsible Division/Department:</b> Student Affairs/ <b>Student Life</b>		

I. Objective and Purpose ~~STATEMENT OF REGULATION~~

Actions or statements which by design or intent amount to ~~intimidation or~~ hazing are prohibited, and shall be prevented and adjudicated by the University whenever possible. This ~~policy~~ regulation shall apply to acts conducted on or off campus whenever such acts are deemed to constitute hazing.

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II. ~~DEFINITIONS~~ Statement of Policy Regulation

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~~(1) "Hazing" means any group or individual action or activity which recklessly or intentionally inflicts or intends to inflict physical or mental harm or discomfort, or which may demean, disgrace, or degrade any person, regardless of location, intent, or consent of participant(s). The actions of either active, associate or prospective members of an organization may be considered hazing. For purposes of this section, any activity as described herein upon which the initiation or admission into or affiliation with a University organization is directly or indirectly conditioned shall be presumed to be a "forced" activity, the willingness of an~~

~~individual to participate in such activity notwithstanding. However, it is not necessary to have direct proof that a person's initiation or continued membership is contingent upon participation in the activity for a charge of hazing to be upheld.~~

Hazing is defined as any action or activity of any group or individual which recklessly or intentionally endangers the mental or physical health or safety of a student for the purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of the University.

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It is not necessary to have direct proof that a person's initiation or continued membership is contingent upon participation in the activity for ~~a charge of hazing to be upheld~~ it to be considered hazing. Furthermore, it is not a defense to a charge of hazing that the consent of the victim had been obtained, or that the activity leading to charges of hazing was not an official organizational event or was not approved or sanctioned by the organization.

Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

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Hazing includes, but is not limited to:

a. Pressuring or coercing students into violating the University regulations, Student Conduct Code, local, state, or federal law.

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(ab) Activities that ~~conflict or interfere~~ with a student's academic performance.

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(b)c Forced consumption or intake of ~~any~~ food, alcohol, drug or any other substance.

~~(ed)~~ Any brutality of a physical nature such as whipping; beating; branding; ~~exclusion from social contact~~; forced calisthenics; exposure to the elements; or any other forced physical activity which could adversely affect the physical and/or mental health or dignity of the individual.

(de) Any activity that would subject a reasonable person to experience emotional stress including deprivation of food or sleep. Forced exclusion from social contact, forced conduct that could result in extreme

embarrassment or that could affect the mental health or dignity of the student. These activities include but are not limited to kidnapping, scavenger hunts, any forced activity of a sexual nature, and personal servitude.

~~(e) Kidnapping.~~

~~(f) Any activity that would subject the individual to embarrassment, humiliation or potential harm.~~

### III. STATEMENT OF PROCEDURES

~~(4A)~~ Any person having knowledge of any activity or statement which may constitute hazing should contact the ~~Student Life Office; Greek Affairs Coordinator~~ Office of the Dean of Students, the University Police Department, the Office of Fraternity and Sorority Life, the Athletic Director, the Office of the Dean of the College in which the club or, course or organization is housed, or ~~the~~ Office of the Vice President for Student and International Affairs. Actions to enforce the University's prohibition against hazing shall be conducted pursuant to the Student Conduct Code.

~~(2B)~~ Penalties - The penalties described below may be imposed for violation of ~~the prohibition~~ this regulation, regardless of whether the violation occurred on or off campus, and shall be in addition to any other penalty to which a student or group may be subject for violations of the criminal laws of Florida or any other applicable University rule or policy.

~~(aC)~~ Individuals subject to University jurisdiction found guilty of hazing violations may receive penalties including ~~the imposition of fines,~~ the withholding of diplomas or transcripts pending compliance with the rules ~~or pending payment of fines, completion of community service or other educational sanctions.~~ and the imposition of reprimand, probation, suspension, or dismissal.

~~(b) Organizations subject to University jurisdiction which authorize hazing in blatant disregard of these rules may be penalized by revocation of permission for the organization to be registered, to meet on campus and to~~

~~use campus facilities, and, in the case of fraternities and sororities, the right to exist at the University of North Florida.~~

~~University recognized student organizations including fraternities and sororities that engage in hazing may be penalized by revocation of permission for the organization to be registered, to meet on campus and to use campus facilities, and the right to exist at the University of North Florida.~~

(~~e~~D) All penalties imposed under the authority of this subsection shall be in addition to any penalty imposed for violation of any of the criminal laws of this state or for violation of any other rule of the institution to which the violator may be subject.

(~~3~~)E Copies of this policy, and rules concerning violations, penalties, and process for enforcement will be distributed to students enrolled in the University, and shall be referenced/incorporated in the bylaws of every organization operating under the sanction of the University.

~~(2)Public and nonpublic postsecondary educational institutions whose students receive state student financial assistance must adopt a written antihazing policy and under such policy must adopt rules prohibiting students or other persons associated with any student organization from engaging in hazing.~~

~~Form~~

Authority: 1006.63, F.S

History: New 05/16/04: Amended

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