

NOTICE OF AMENDED REGULATION

August 27, 2019

DEPARTMENT OF EDUCATION

Division of Universities
University of North Florida

REGULATION TITLE:

Prohibition Against Hazing

REGULATION NO.:

5.0020R

SUMMARY:

The regulation is being amended to include broadening the definition, referencing the Medical Amnesty Policy and “Andrews Law” and updating penalties for recognized student organizations who engage in hazing.

FULL TEXT:

The full text of the regulation being proposed is attached.

AUTHORITY:

Board of Governors Regulation Development Procedure – March 23, 2006
Florida Statutes 1006.63
BOG Regulations 1.001 and 6.021

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:

Andrea Adams-Manning, Ed.D., Dean of Students

INDIVIDUAL TO BE CONTACTED REGARDING THE PROPOSED REVISED REGULATION:

Stephanie Howell, Paralegal, Office of the General Counsel, 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 **September 11, 2019** to receive full consideration.*

Policies & Regulations

Subject: Prohibition Against Hazing		
Number	5.0020R	<input type="checkbox"/> New Regulation <input checked="" type="checkbox"/> Revision of Existing Regulation <input type="checkbox"/> Reaffirmation of Existing Regulation <input type="checkbox"/> Repeal of Existing Regulation
Effective Date	01/27/06	
Revised Date	10/11/18	
Responsible Division/Department: Student Affairs/Student Conduct Office		

I. OBJECTIVE & PURPOSE

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

II. STATEMENT OF REGULATION

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, or the perpetuation or furtherance of a tradition of ritual of any student organization or group operating under the sanction of the University whether or not the group is officially recognized by the University. ~~operating under the sanction of the University.~~ _____

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.

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

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

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

(e) 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 other forced activity that could adversely 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.

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and personal servitude.

A person also commits hazing when they intentionally or recklessly commit, solicits a person to commit, or is actively involved in the planning of any act of hazing as defined in this policy upon another person who is a member or former member of or an applicant to any type of student organization or group operating under the sanction of the University whether or not the group is officially recognized by the University..

It is not necessary to have direct proof that a person's initiation or continued membership is contingent upon participation in the activity for 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.

~~A person also commits hazing when they intentionally or recklessly commit, solicits a person to commit, or is actively involved in the planning of any act of hazing as defined in this policy upon another person who is a member or former member of or an applicant to any type of student organization or group operating under the sanction of the University whether or not the group is officially recognized by the University..~~

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.

~~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.~~

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

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

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

~~(e) 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 other forced activity that could adversely 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.~~

III. STATEMENT OF PROCEDURES

(A) Any person having knowledge of any activity or statement situation which may constitute hazing should contact the 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~~ Provost. Actions to enforce the University's prohibition against hazing shall be conducted pursuant to the Student Conduct Code.

(B) Penalties - The penalties described below may be imposed for violation of 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 regulation or policy.

(C) Individuals subject to University jurisdiction found guilty of hazing violations may receive penalties including the withholding of diplomas or transcripts pending compliance with the regulations or completion of community service, or other educational sanctions, and the imposition of reprimand, probation, suspension, dismissal, or dismissal/expulsion, depending upon the severity of the violation.

(D) In compliance with the Medical Amnesty Policy and with "Andrews Law", a person who was present at an event where, as a result of hazing, a person appears to be in need of immediate medical assistance, who is the first person to call 911 or the University Police Department for and obtains such medical assistance, provides their name and the address at which medical assistance is needed, renders medical aid, remains on the scene with the person until such medical assistance arrives, and cooperates with the responders will not be charged with a violation of this policy.

(DE) 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. ~~operate on university property or to otherwise operate under the sanction of the university.~~

(EF) Copies of this ~~policy regulation~~, and ~~regulations any policies~~ concerning violations, penalties, and process for enforcement will be ~~distributed provided~~ to students enrolled in the University and shall be referenced/incorporated in the bylaws of every organization operating under the sanction of the University.

Authority: 1006.63 F.S., FLBOG Reg. 6.021.

History: New 05/16/04; Amended 5/16/07; Amended 10/21/14; Amended_____.