

UNF Board of Trustees

December 19, 2002

Issue: Antihazing

Proposed action: Approval

Background information:

Attached is a revised rule on antihazing to update current University procedures. The purpose of this rule is to prohibit students or other persons associated with any student organization from engaging in hazing and to prescribe appropriate penalties for violations, and a program for enforcement of the policy.

This rule has been vetted by legal counsel and by the Educational Policy Committee, and will replace the current rule in the Florida Administrative Code. An open forum to discuss the rule was held on November 15.

Upon approval by the Board of Trustees, the rule will be sent to the Joint Administrative Procedures Committee (JAPC) in Tallahassee for a final review prior to publication. This process can take from 90 to 120 days.

Attachments: Proposed rule

NOTICE OF PROPOSED RULE DEVELOPMENT

DEPARTMENT OF EDUCATION

Division of Colleges and Universities
University of North Florida

CHAPTER TITLE:
Students

CHAPTER NUMBER
6C 9-3

RULE TITLE:
Prohibition Against Hazing

RULE NUMBER
6C 9-3.3002

PURPOSE AND AFFECT: The purpose and effect of the proposed rule is to exercise the authority of the University of North Florida's Board of Trustees pursuant to §1001.74 (10)(d), 1006.63, F.S., to prohibit students or other persons associated with any student organization from engaging in hazing

SUBJECT AREA TO THE ADDRESSED: Rule stating the University of North Florida's antihazing policy; prescribing appropriate penalties for violations of such policy, and a program for enforcing such policy.

SPECIFIC AUTHORITY: 1001.74(10)(d); 1006.63, Florida Statutes.

LAW IMPLEMENTED: 1006.63(2), Florida Statutes.

IF REQUESTED IN WRITING AT LEAST SEVEN (7) DAYS IN ADVANCE OF THE SCHEDULED WORKSHOP AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 PM – 3:00 PM, November 15, 2002

PLACE: University of North Florida, Building 39, College of Health, Room 1009

Individuals who require a reasonable accommodation in order to participate must notify Sandy Bernreuter at (904) 620-2828 at least five (5) working days prior to the event.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A PRELIMINARY COPY OF THE PROPOSED RULE IS: Janet D. Owen, Associate General Counsel at (904) 620-2828.

6C9-3.3002 University of North Florida; Prohibition Against Hazing

(1) Statement of Policy – 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 shall apply to acts conducted on or off campus whenever such acts are deemed to constitute hazing.

(2) “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 includes, but is not limited to:

(a) Interference with a student’s academic performance.

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

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

(d) Deprivation of food or sleep.

(e) Kidnapping.

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

(3) Any person having knowledge of any activity or statement which may constitute hazing should contact the Student Life Office; Greek Affairs Coordinator or Office of the

Vice President for Student Affairs. Actions to enforce the University's prohibition against hazing shall be conducted pursuant to the Student Conduct Code.

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

(a) 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, 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.

(c) 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.

(5) 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 incorporated in the bylaws of every organization operating under the sanction of the University.

Specific Authority: 1001.74(10)(d); 1006.63, F.S

Law Implemented: 1006.63(2), F.S.

History: New

(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.