

## Virginia Tech Hazing Policy and the Commonwealth of Virginia Hazing Law

(Information obtained from: Hokie Handbook – Student Code of Conduct Section)

### Hazing

Hazing is a criminal offense in the Commonwealth of Virginia. Hazing is considered a serious violation of university policy and is prohibited in all forms. This policy is based on the proposition that students are entitled to be treated with consideration and respect at all times and it applies to all student organizations and individuals. Concurrently, the National Interfraternity Conference, the National Panhellenic Conference, and the National Pan-Hellenic Council state unequivocally that hazing has no place in the collegiate fraternity and sorority system. In addition, the members of the Corps of Cadets are subject to the Virginia Tech Corps of Cadets Regulations manual. In determining whether a specific behavior violates the hazing policy, consideration will be given to how the behavior relates to the university's mission and purpose.

The state statute on hazing (Virginia Hazing, Civil Criminal Liability, Code of Virginia. 18.2-56, **Amended March 16, 2003**) reads as follows:

It shall be unlawful to haze so as to cause bodily injury, to any student at any school, college, or university. Any person found guilty thereof shall be guilty of a Class 1 misdemeanor.

Any person receiving bodily injury by hazing shall have a right to sue, civilly, the person or persons guilty thereof, whether adults or infants.

The president or other presiding official of any school, college or university, receiving appropriations from the state treasury shall, upon satisfactory proof of the guilt of any student of hazing another student, sanction and discipline such student in accordance with the institution's policies and procedures. The institution's policies and procedures shall provide for expulsions or other appropriate discipline based on the facts and circumstances of each case. The president or other presiding official of any school, college or university receiving appropriations from the state treasury shall report hazing which causes bodily injury to the attorney for the Commonwealth of the county or city in which such school, college or university is, who shall take such action as he deems appropriate.

For the purposes of this section, "hazing " means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily injury on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity.

Virginia Tech defines hazing as any mental or physical requirement, request, or obligation placed upon any person that could cause discomfort, pain, fright, disgrace or injury; that is personally degrading; or that violates any federal, state, or local statute or university policy, the willingness of an individual to participate in such activity notwithstanding. A person is defined as a university student, any associate member, member, affiliate, alumnus, guest of any campus organization, or other individual. Alleged violations of this policy should be reported to the Virginia Tech Police, the Office of Student Activities, the Office of Fraternity and Sorority Life, or the Office of Student Conduct. Hazing includes but is not limited to the following activities:

### **Physical**

1. Encouraging or requiring persons to consume excessive amounts of alcohol or other liquids (e.g., encouraging or requiring individuals to use beer bong, play drinking games or drink unknown substances).
2. Requiring that a person do or submit to any act that will alter his or her physical appearance in any significant degree for any substantial period of time (e.g., branding; tattooing; using makeup, paint, or markers on a person; or shaving the head or body).
3. Requiring activities that disrupt a person's normal schedule. A normal schedule includes three reasonably spaced meals per day, the opportunity for sufficient rest at night (at least six full hours), time required for study outside of scheduled class hours, and reasonable time for personal hygiene.
4. Requiring a person to engage in physical activity of unusual kind or duration, such as: calisthenics, overly difficult work assignments, activities that may be excessive for a person with physical disabilities, activities that require a person to remain in a fixed position for an extended period of time, or confining a person in a room that is too hot or too cold, too noisy, or too small.
5. Hitting or pretending to hit an individual.
6. Performing acts that are or seem to be dangerous.

### **Psychological**

7. Requiring a person to pretend to or actually violate a law.
8. Yelling or screaming at individuals.
9. Calling individuals demeaning names.
10. Booing, hissing, or demeaning individuals when they make mistakes.
11. Interrogating individuals in an intimidating or threatening manner.

12. Requiring a person to perform acts of servitude or perform personal errands for others.
13. Deceiving new members prior to their gaining membership in an attempt to convince them that they will not be initiated or will be hurt.
14. Forcing a person to publicly wear apparel that is abnormal and not normally in good taste.
15. Requiring a person to appear nude at any time.
16. Engaging in activity that compels an individual or group to remain in a certain place or transporting anyone without their knowledgeable consent (e.g., taking a person on a road trip to an unknown destination, or kidnapping).
17. Requiring a pledge or associate period of unusual length (more than 10-12 weeks) for reasons other than achieving academic requirements.

### **Distinction between Hazing By Organizations and By Individuals**

The following statement will help distinguish hazing violations by individuals from hazing violations by student organizations.

18. It is presumed that hazing incidents involve only those persons directly participating in the incident and those who are present at the time it occurs and who do nothing to stop its occurrence.
19. A hazing incident may also be an organizational activity, for which the organization itself may be disciplined, if any of the following characteristics are present:
  1. The faculty advisor, or any of the executive officers of the organization, or the person charged with the administration of an orientation or pledge program is aware of the incident sufficiently in advance of its occurrence to prohibit its taking place, and takes no action to prohibit it.
  2. The faculty advisor, or any of the executive officers of the organization, or the person charged with the administration of an orientation or pledge program knows the identity of the members involved in the incident and refuses to divulge that information to the appropriate university authorities or the police.
  3. The incident takes place in any public area within a chapter house or in any public place.
  4. The incident involves the expenditure of any organizational funds.
  5. The incident involves or is actively or passively endorsed by a majority of the members of the organization.
  6. The incident involves six or more members of the organization.

### **Hazing Education**

The officers, principally the president or chairperson, of each organization are responsible for informing members and prospective members of this hazing policy. The

policy must be posted in a prominent place for the members to see. The UUSA Office of Student Activities will provide copies of this policy to all student organizations. The Office of Fraternity and Sorority Life will provide copies of this policy for all associate members at the beginning of each semester. The IFC, PHC, and NPHC will sponsor seminars from time to time to ensure that all fraternities and sororities remain informed on the issue of hazing.