

Virginia Tech Hazing Policy and the Commonwealth of Virginia Hazing Law (Information obtained from: Hokie Handbook – Student Code of Conduct Section)

Hazing

1. Code of Virginia on Hazing

§18.2-56. Hazing unlawful; civil and criminal liability; duty of school, etc., officials; penalty.

It shall be unlawful to haze so as to cause bodily injury, any student at any school or institution of higher education.

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 or institution of higher education receiving appropriations from the state treasury shall, upon satisfactory proof of the guilt of any student 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 and shall be consistent with the model policies established by the Department of Education or the State Council of Higher Education for Virginia, as applicable. The president or other presiding official of any school or institution of higher education 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 or institution of higher education 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.

2. Preamble

The purpose of this policy is to ensure that students at Virginia Tech are not subjected to any type of hazing. It is the responsibility of all individuals associated with Virginia Tech to encourage an atmosphere of learning, social responsibility, and respect for human dignity.

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 Inter/National governing bodies for fraternities and sororities state unequivocally that hazing has no place in the collegiate experience. 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.

Hazing is an unproductive and hazardous activity that is incongruous with this responsibility and has no place at this institution, either on or off campus. It is the opinion of this academic community that this kind of behavior is injurious to the individuals involved and the institution itself.

This policy applies to all persons and groups associated with Virginia Tech, including but not limited to administrators, coaches, faculty, organization advisors, staff, students, athletic teams, bands, fraternities, organizations, and sororities. Virginia Tech shall designate a formal and consistent process for receiving hazing complaints, require investigations into such reports, and ensure compliance with this policy.

3. Definitions

“Administrator” means a president, vice president, dean, head of a school, director of a program or campus office, or designee of one of the aforementioned individuals.

“Organization” means association, athletic team, band, club, cooperative, corps, fraternity, order, society, sorority, or other similar group whose members primarily are students of the institution.

“Staff” means any person employed directly by or retained through a contract with the institution, including a coach or supervisor of an organization, professor, or intern.

“Student” means any person who is enrolled in or matriculating from the institution, registered or in attendance in a program operated by the institution, or who has been accepted for admission into any program operated by the institution.

A “person” is defined as a university student, any associate member, member, affiliate, alumnus, guest of any campus organization, or other individual.

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.

4. Institutional Guidelines

As it is impossible to anticipate every situation that could involve hazing, this list does not, and cannot, encompass every circumstance that will cause the institution to discipline for hazing. This policy is not intended to prohibit the following conduct:

- a. Customary athletic events, contests, or competitions that are sponsored by the institution or the organized and supervised practices associated with such events; or
- b. Any activity or conduct that furthers the goals of a legitimate educational curriculum, extracurricular program or military training program, as approved by the institution.

Hazing shall include, but not be limited to, forcing, compelling, requiring, encouraging, or expecting, whether direct or implied, any individual to participate in any of the following actions or activities:

Physical

- a. Encouraging or requiring persons to consume alcohol or other substances regardless of the age of the participant.

- b. Encouraging or 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. burning, branding, tattooing, using makeup, paint or markers on a person, or shaving the head or body).
- c. Encouraging or 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) and reasonable time for personal hygiene.
- d. Encouraging or 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, activities that require a person to remain in a fixed position for an extended period of time, binding or restricting an individual in any way that would prohibit them from moving on their own, confining a person or exposing participants to uncomfortable elements like in environments that are too hot, cold, noisy, small, or threatening/intimidating.
- e. Hitting, pretending, or misleading a prospective member into believing that they will be hit, hurt, or physically altered.
- f. Encouraging or requiring acts that are or seem to be dangerous.

Psychological

- g. Encouraging or requiring a person to pretend to or actually violate a law.
- h. Encouraging or requiring an individual to obtain or possess items or complete tasks in an unlawful manner (i.e. for a scavenger hunt).
- i. Verbally abusing prospective members. Examples include but are not limited to yelling or screaming, calling individuals demeaning names, booing, hissing, or demeaning individuals when they make mistakes.
- j. Encouraging or requiring a person to perform acts of servitude, perform personal errands for others, or engage in activities that are demeaning.
- k. Misleading prospective members in an effort to convince them that they will not become members unless they complete tasks, follow instructions, or act in a certain way.
- l. Misleading prospective members into believing that they will be hurt during induction or initiation.
- m. Encouraging or requiring a person to publicly carry objects or wear apparel that is abnormal, not normally in good taste, conspicuous and/or indecent.
- n. Encouraging or requiring a person to appear nude or reveal body parts.
- o. Encouraging or requiring an individual or group to remain in a certain place or transporting them to a location without their knowledge (e.g. taking a person on a road trip or excursion to an unknown destination or kidnapping).
- p. Parading individuals in public areas, transporting individuals in a motor vehicle while blindfolded, or privately conducting blindfolding activities that serve no constructive purpose.
- q. Requiring an individual to "pledge" or "associate" for a period of unusual length (more than 10-12 weeks) for reasons other than achieving academic requirements or extraordinary circumstances.
- r. Hazing also includes soliciting, directing, aiding, or otherwise participating actively or passively in the above acts.

5. Location

This policy encompasses all acts of hazing that occur whether on or off campus. As such, an act of hazing by an individual or organization will be viewed by the institution as a violation of the institution's hazing policy, regardless of where the act of hazing took place.

6. Consent

An individual may not consent to being hazed, and their voluntary or willful participation in hazing activities will not be considered as a defense against a violation of the institution's hazing policy by an individual or organization.

7. Reporting

Any suspected violation of this policy should be reported in accordance with the institution's reporting system. The initial report of a suspected violation may be reported in person, by phone or by electronic communication, and may be done anonymously.

Alleged violations of this policy can be reported to the Virginia Tech Police Department, Student Engagement and Campus Life, Fraternity and Sorority Life, or Student Conduct.

8. Distinction between Hazing by Organizations and by Individuals

Hazing may be an individual act, organizational act, or both. The following statement will help distinguish hazing violations by individuals from hazing violations by student organizations.

- a. 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.
- b. 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:
 - i. The faculty advisor, any executive officer 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.
 - ii. The faculty advisor, any executive officer 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.
 - iii. The incident takes place in any public area within a chapter house or in any public place.
 - iv. The incident involves the expenditure of any organizational funds.
 - v. The incident involves or is actively or passively endorsed by a majority of the members of the organization.
 - vi. 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. Student Engagement and Campus Life and Fraternity and Sorority Life will do hazing education, as well as keep the university community informed on the issue of hazing.