

NOTICE OF PROPOSED REGULATION

Date: May 13, 2009

REGULATION TITLE:

Prohibition of Hazing; Procedures and Penalties

REGULATION NO.:

6C1-1.0081

SUMMARY: In the Student Conduct Code there is a prohibition against hazing by students and student organizations. Regulation 6C1-1.0081 correspondingly clarifies that hazing by any members of the university community, including employees and volunteers as well as students, is prohibited.

AUTHORITY: BOG Regulation 1.001.

COMMENTS CONCERNING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION

IS: Rebecca J. Holt, Administrative Assistant, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION: Patricia Telles-Irvin, Vice President for Student Affairs

THE FULL TEXT OF THE PROPOSED REGULATION IS ATTACHED TO THIS NOTICE.

REGULATIONS OF
UNIVERSITY OF FLORIDA

6C1-1.0081 Prohibition of Hazing; Procedures and Penalties.

(1) Hazing Policy — Actions which amount to hazing are prohibited.

Hazing is any action or situation that recklessly, by design, or intentionally endangers the mental or physical health or safety of a student for any purpose including, but not limited to, initiation or admission into or affiliation with any group or organization.

(2) Hazing occurs if an individual or group:

(a) Causes or attempts to cause physical injury or harm to a student including but not limited to emotional distress, or engages in any conduct which presents a threat to the student's health or safety, which shall include but not be limited to any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, alcohol, drug, or other substance, or other forced physical activity that would subject the student to extreme mental stress, such as sleep deprivation, forced sexual conduct, and forced exclusion from social contact.

(b) Engages in an action or activity which has a tendency to or which is intended to demean, disgrace, humiliate, or degrade a student, which shall include but not be limited to, forced conduct that could result in extreme embarrassment, or

other forced activity that could adversely affect the mental health or dignity of the student.

(c) Conduct that by design, intent or recklessness causes a student to be unable to reasonably pursue, or interferes with or attempts to interfere with a student's academic schedule or performance.

(d) Causes, induces, pressures, coerces, or requires a student to violate the law or to violate any provisions of University of Florida regulations.

(3) In response to allegations of hazing under this regulation, it is not a defense that:

(a) The victim gave consent to the conduct.

(b) The conduct was not part of an official organizational event or sanctioned or approved by the organization.

(c) The conduct was not done as a condition of membership in the organization.

(4) Procedures for Implementation — Any person having knowledge of any activity or statement which may constitute hazing should contact the University office or agency with jurisdiction over the students or organization involved. Such office or agency shall take appropriate University action as necessary to enforce the prohibition. Penalties for violations of the prohibition shall be administered by the appropriate University office or agency.

(5) Penalties — Under Section 1006.63, F.S., the University is authorized to impose the penalties described below for violation of the prohibition, regardless of

whether the violation occurred on or off campus, and such penalties shall be in addition to any other penalty to which the individual or organization may be subject for violations of the criminal laws of Florida or any other applicable University regulation.

(a) Penalties for individuals subject to University jurisdiction, including but not limited to students, employees, and volunteers, found responsible for hazing include 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 Florida.

(6) Copies of this policy, and regulations concerning violations, penalties, and process for enforcement will be distributed to all employees and students at the University, and shall be incorporated in the bylaws of every organization operating under the sanction of the University.

Specific Authority: BOG Regulation 1.001.

History--New _____, Formerly 6C1-4.0161.