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The Honorable Terry McAuliffe  
Governor of Virginia  
Governor's Office, Third Floor  
Patrick Henry Building  
Richmond, Virginia 23219

Dear Governor McAuliffe:

The 2014 General Assembly, through SB448, mandated the creation of a Model Hazing Policy for institutions of higher education in Virginia. The pertinent Code language is copied below.

§ [18.2-56](#). *Hazing unlawful; civil and criminal liability; duty of school, etc., officials; penalty.*

2. *That the Department of Education and the State Council of Higher Education for Virginia, with the Department of Criminal Justice Services, shall establish model policies regarding the prevention of and appropriate disciplinary action for hazing as defined in § [18.2-56](#) of the Code of Virginia.*

The attached document is a result of collaboration among the State Council of Higher Education for Virginia (SCHEV), the Department of Criminal Justice Services (DCJS), and the Virginia Department of Education (VDOE). Subject experts at the College of William and Mary lent their resources to the effort, in light of their nationally recognized policy, which received the 2013 Award for Innovation in Campus Hazing Prevention and Education by [HazingPrevention.org](http://HazingPrevention.org).

Senator Norment was the patron of SB488. As per his instructions, this language is offered and intended as a "Model Policy," not a word-for-word mandate.

During drafting this policy was vetted with the institutions of higher education in Virginia and the Office of the Attorney General. The final document is being distributed to the institutions and will be posted on the websites of SCHEV, DCJS, and VDOE. If you have questions, please feel free to contact Kirsten Nelson, Director of Communications and Government Relations, at [kirstennelson@schev.edu](mailto:kirstennelson@schev.edu).

Sincerely,

Peter Blake

c: The Honorable Thomas Norment, Jr.  
Frances Ecker, Director DCJS  
Dr. Steven R. Staples, Superintendent of Public Instruction VDOE  
Attorney General Mark Herring, OAG

**MODEL POLICY REGARDING THE PREVENTION OF AND APPROPRIATE DISCIPLINARY ACTION  
FOR HAZING AT VIRGINIA’S INSTITUTIONS OF HIGHER EDUCATION**

**CODE OF VIRGINIA**

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

1. “It shall be unlawful to haze so as to cause bodily injury, 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 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, 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.”

2. That the Department of Education and the State Council of Higher Education for Virginia, with the Department of Criminal Justice Services, shall establish model policies regarding the prevention of and appropriate disciplinary action for hazing as defined in § 18.2-56 of the Code of Virginia.

(Code 1950, § 18.1-71; 1960, c. 358; 1975, cc. 14, 15; 2003, cc. 62, 67; 2014, c. 627.)

## **MODEL INSTITUTIONAL POLICY**

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The purpose of this policy is to ensure that students at the University/College of \_\_\_\_\_ (hereinafter Institution) are not subjected to any type of hazing. It is the responsibility of all individuals associated with the Institution to encourage an atmosphere of learning, social responsibility, and respect for human dignity.

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 the Institution, including, but not limited to, administrators, coaches, faculty, organization advisors, staff, students, athletic teams, bands, fraternities, organizations, and sororities. The Institution shall designate a formal and consistent process for receiving hazing complaints, require investigations into such reports, and ensure compliance with this policy.

### **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.

### **NOTIFICATION OF POLICY**

The Institution shall provide notice of this policy to administrators, coaches, faculty, organization advisors, staff, students, and all organizations at the beginning of each academic year. At a minimum, this policy shall appear in the Institution’s student conduct policies and be referenced or included within the by-laws and other governing documents of student organizations to the extent they exist.

## INSTITUTIONAL GUIDELINES

### I. Hazing

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:

1. Customary athletic events, contests, or competitions that are sponsored by the institution or the organized and supervised practices associated with such events; or
2. 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:

1. Paddling;
2. Kidnapping;
3. All forms of physical activity which are used to harass, punish, or harm an individual;
4. Excursions or road trips;
5. Confinement;
6. Spraying, painting, or pelting with any substance;
7. Burying in any substance;
8. Nudity with the intent to cause embarrassment;
9. Servitude;
10. Exposure to uncomfortable elements;
11. Verbal abuse;
12. Wearing, in public, of apparel which is conspicuous and/or indecent;
13. Forcing consumption of alcohol or any other substance, legal or illegal;
14. Depriving students of sufficient sleep (six consecutive hours per day is normally considered to be a minimum);
15. Burning, branding, or tattooing any part of the body;
16. Psychological hazing, defined as any act which is likely to:
  - a. Compromise an individual's dignity;
  - b. Cause an individual embarrassment or shame;
  - c. Cause an individual to be the object of malicious amusement or ridicule; or
  - d. Cause an individual emotional distress;
17. Interrogating an individual in an intimidating or threatening manner;
18. 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;

19. Misleading prospective members into believing that they will be hurt during induction or initiation;
20. Carrying any items (shields, paddles, bricks, hammers, etc.) that serve no constructive purpose or that are designed to punish or embarrass the carrier;
21. Blindfolding and parading individuals in public areas, blindfolding and transporting in a motor vehicle, or privately conducting blindfolding activities that serve no constructive purpose;
22. Binding or restricting an individual in any way that would prohibit them from moving on their own; and
23. Requiring or suggesting that an individual obtain or possess items or complete tasks in an unlawful manner (i.e. for a scavenger hunt).

Hazing also includes soliciting, directing, aiding, or otherwise participating actively or passively in the above acts.

## II. 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.

## III. Consent

An individual may not consent to being hazed, and a victim's 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.

### **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.

### **INVESTIGATION**

A report or complaint of hazing shall be thoroughly investigated in accordance with federal and state laws and Institutional guidelines. The findings and conclusions of the investigation shall be reported in accordance with the Institution's reporting system.

## DISCIPLINARY ACTION

Hazing, as defined in this statement, is prohibited under the Code of Virginia as well as Institution policy. Any individual or organization found to be in violation of this policy shall be subject to the procedures set forth in the Institution's code of conduct, and may be subject to appropriate disciplinary action in accordance with applicable law.

**§ 18.2-56 of the Code of Virginia states:** "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, as applicable."

### I. Individual & Organization Responsibility

Both individuals and organizations may be held responsible for their actions and participation in incidents of hazing. If an investigation concludes that an individual or individuals directed, engaged in, aided or otherwise participated in, actively or passively, an incident of hazing, disciplinary action may be imposed against the individual(s). If the investigation concludes that an organization knowingly permitted, authorized, or condoned hazing, disciplinary action may be imposed against the entire organization.

### II. Retaliation

It shall be a violation of this policy for an individual or organization to retaliate against a student or other person for reporting a suspected incident of hazing or cooperating in any investigation or disciplinary proceeding regarding an incident of hazing.

## **APPENDIX: PREVENTION PRACTICES**

### **ENCOURAGING AN INFORMED CAMPUS COMMUNITY**

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#### **RAISING AWARENESS**

In an effort to discourage and prevent hazing before it occurs, the following programs and initiatives will be considered as measures to inform the community about the prohibition against hazing, reasons for the prohibition, and the potential consequences to participants. This should not be considered an exhaustive list, and the Institution welcomes additional suggestions regarding programs and initiatives that may enhance and further the Institution's commitment to hazing prevention.

- Create a structured reporting system
  - Develop a structured reporting system on campus, if one is not already in place
  - Develop a media campaign to educate on the reporting system
- Include a hazing program as part of first-year student orientation
- Encourage attendance for all current members and new members of all campus organizations at an anti-hazing training that cover the topics of:
  - Reporting on Campus
  - Prevention
  - Applicable State Law
- Provide programs on the importance of bystander intervention
- Educate administrators, faculty, staff, and students on the potential warning signs one may see from an individual who is being hazed, i.e. academic hardship, lack of sleep, etc.
- Certify an understanding of the Institution's policy by all students in the form of a pledge
- Approve all initiation and new member programs and activities
- Encourage frequent communication among administrators, staff, and students regarding the Institution's policies and expectations as they relate to hazing
- Create an Anti-Hazing Coalition to facilitate discussion surrounding proactive and preventative measures against hazing
- Design training programs on preventing, recognizing, and responding to hazing for campus administrators, staff, and students as the individuals may benefit from those trainings. Suggested individuals to receive such training include, but are not limited to:
  - Deans
  - Campus Life Directors
  - Campus Counselors
  - Healthcare Professionals
  - Resident Assistants
  - Orientation Leaders
- Implement Hazing Prevention Week on campus
- Create online educational programs
- Reach out to parents and community members
- Communicate with both local and on-campus law enforcement to better understand and definitively recognize hazing on campus

## **RESOURCES**

32 NCSI National Campus Safety Initiative  
[www.32ncsi.org](http://www.32ncsi.org)

Award Winning Hazing Prevention Measures at The College of William & Mary:  
<http://www.wm.edu/sites/hazingprevention/>

Cornell University:  
<http://www.hazing.cornell.edu>

Florida State Hazing Prevention:  
<http://hazing.fsu.edu>

[HazingPrevention.org](http://HazingPrevention.org)

National Collaborative for Hazing Research & Prevention:  
<http://umaine.edu/hazingresearch>

[Stophazing.org](http://Stophazing.org)