

## Administrative Regulation 6:10

# University of Kentucky Hazing Prevention Policy

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## I. Introduction

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This *Administrative Regulation* establishes the University's hazing prevention policy. As part of its commitment to promoting a safe and healthy campus environment for the University community and cultivating a culture that fosters respect for the dignity and rights of all its members, the University does not tolerate hazing activities by any members of the University community.

## II. Entities Affected

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This regulation applies to all members of the University community, including faculty, staff, students, volunteers, organizations, and groups, as well as visitors and other licensees and invitees.

## III. Scope

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This regulation applies to behavior that occurs on or off University premises. This regulation applies to off-campus facilities of Registered Student Organizations, at University-sponsored or approved activities, and at non-University activities. This regulation applies at all University locations, including where the University is

extended to distance education, such as study abroad, service trips, experiential learning opportunities, and athletic, club sport, and other group travel. This regulation may also be applied to behavior conducted online, via e-mail or through electronic media, in cases where the behavior is not protected by freedom of expression. The University does not regularly search for online information but may take action if such information is brought to the attention of University officials.

## IV. Definitions

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### A. Amnesty

“Amnesty” means a policy where students, organizations, and/or groups who proactively seek out help from University officials in order to stop and prevent future hazing behavior in their group or organization will not be charged or given restorative actions for violations of the university hazing policies. Amnesty will not be granted for other policy violations that may have occurred during the incident (e.g. drug distribution, arson, etc.). Amnesty does not apply to any actions that may be taken by any law enforcement agency, including University police.

### B. Group

“Group” means a number of persons who are associated with the University and each other, but who have not registered, or are not required to register, as a student organization (e.g. athletic teams, musical or theatrical ensembles, academic or administrative units, clubs).

### C. Hazing

“Hazing” means any action or situation created by a member of the University Community against another member of the University Community for the purpose of affiliation with a group or organization that:

- (a) Is negligent or reckless in nature;
- (b) Is humiliating or endangers an individual; or
- (c) Unreasonably interferes with scholastic or employment activities.

Actions and situations that may constitute hazing include, but are not limited to, the following:

- (a) Forced consumption of food, alcohol, or drugs or other controlled substances;
- (b) Paddling in any form;
- (c) Creation of unnecessary fatigue;
- (d) Personal servitude;
- (e) Physical or psychological shocks;
- (f) Forced wearing of apparel which is conspicuous and not normally in good taste;
- (g) Degrading or humiliating games and activities;
- (h) Sleep or food deprivation;
- (i) Unreasonable exposure to the weather;

- (j) Kidnapping or abandonment;
- (k) Line-ups and berating;
- (l) Undue interference with academic pursuits; or
- (m) Expectation of participation in activities that are illegal, lewd, or in violation of University policy.

#### D. Organization

“Organization” means a number of persons who are associated with each other and have registered with the University as a student organization under AR 4:1, Rules and Additional Criteria for Registration of Student Organizations.

#### E. Retaliation

“Retaliation” means an adverse action taken against a covered individual because they engaged in a protected activity, e.g. reporting hazing or participating in an investigation of a hazing report.

#### F. University Official

“University Official” means any person (faculty or staff) who is employed by the University, and who performs assigned administrative or professional responsibilities. For the purposes of this policy, the “appropriate” official is defined as follows:

1. Students – Dean of Students or designee;
2. Faculty – Provost or designee; and
3. Staff – Vice President for Human Resources or designee.

For other Members of the University Community (volunteers, organizations, groups, vendors, patients, customers, alumni, and visitors), the appropriate official is any of the above University Officials or the University police.

## V. Policy

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- A. Hazing in any form is prohibited.
- B. It is not a defense to an allegation of hazing that:
  1. The express or implied consent of the individual was obtained;
  2. The conduct or activity was not part of an official organizational or group event or was not otherwise sanctioned or approved by the organization or group; or
  3. The conduct or activity was not a condition of membership or affiliation with the organization or group.
- C. Any member of the University community with knowledge or suspicion of hazing must report the activity to the appropriate University Official or the University police.
- D. Retaliating in any manner against any individual who reports hazing or who participates in an investigation of a hazing report is prohibited.

- E. Responsibility for any violations of this regulation may be attributed to the perpetrators, the organization or group, or its members or officers.
- F. Any organization or group may be found responsible for any violations of this regulation upon satisfactory proof that the organization or group did not discourage or did not take reasonable steps to prevent hazing by its members or affiliates.
- G. In addition to this policy, NCAA student athletes must follow the policies and guidelines set forth by the NCAA, SEC, and University Athletics Compliance office.

## VI. Amnesty Policy

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- A. Individuals who are victims of hazing and who truthfully report the activities will not be individually charged with a violation of this regulation.
- B. Individuals who have knowledge of, but did not participate in, a hazing incident who truthfully report the activities will not be individually charged with a violation of this regulation in relation to that particular incident.
- C. To qualify for amnesty, individuals (students, advisors, etc.) must proactively seek help related to hazing behavior. Any organization or group that self-reports a hazing behavior to an appropriate University Official will be given the opportunity to change those behaviors without being charged with a violation of this regulation. Previous organization or group behavior will not be considered a violation of this regulation during the first forthcoming self-report of hazing.
- D. An organization or group that self-reports must identify those individuals responsible for the hazing behaviors. Failure to report individuals or to participate fully in the investigation could result in an organization or group not receiving amnesty.
- E. Following the granting of amnesty for self-reported behaviors, if evidence is presented that hazing behaviors have continued within the organization or group (including from an individual within the organization), that organization, group, or individual may be held responsible for past behaviors.
- F. Amnesty will not be granted for other policy violations that may have occurred during the incident (e.g. drug distribution, arson, theft, etc.). Amnesty does not prevent any actions that may be taken by any law enforcement agency, including University police.
- G. Registered Student Organization advisors will be notified of hazing behavior throughout the investigation period and as appropriate throughout of the student conduct process.
- H. Reports of hazing by organizations or groups will be reviewed and investigated by the Office of Student Conduct. The Office of Student Conduct and the Dean of Students Office will determine if an individual, group, or organization will be granted amnesty.

## VII. Reporting

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- A. Individuals and/or Student Organizations should report instances of hazing through the [Hazing Incident Report Form](#). Reports will be routed to the Dean of Students Office and/or the Office of Student Conduct and sent to the appropriate University Official for review (see section IV.F.).
- B. Making an intentionally false accusation of hazing is prohibited and subject to corrective or restorative action as enumerated in the Code of Student Conduct or other University policies.

- C. If a member of the University community is aware of immediate physical danger to a student or others, they must contact University police at (859) 257-8573 or dial 911.
- D. Any questions concerning the interpretation or application of this policy should be referred to the appropriate University Official.

## VIII. Additional Requirements for Registered Student Organizations

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All elected or appointed student organization presidents or their designees must educate their respective organization members on an annual basis regarding the applicable University policies concerning hazing.

## IX. Corrective and Restorative Actions

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- A. When the appropriate University Official receives a report of hazing, interim measures to prevent further hazing or protect students may be put in place.
- B. An investigation process related to the reported behavior must take place. Investigations may consist of written reports, evidence gathering, and interviews of members within the organization or group. All members of the University community must cooperate in any investigation of hazing.
- C. Violations of this regulation may be addressed through restorative or corrective action under the Code of Student Conduct, Human Resources Policies and Procedures, or other applicable University Regulations or Policies. Visitors refusing to comply with this policy may be reported to the University police.
- D. Possible restorative actions for individual students resulting from the University student conduct process range from a warning to disciplinary expulsion. Possible restorative actions for student organizations or groups include suspension or restriction from University property or revocation of Registered Student Organization status, if applicable. Possible corrective actions for faculty and staff range from an oral warning to termination of employment.
- E. Violators of this policy are subject to referral to appropriate law enforcement or University services, as well as to regional and national affiliated offices for groups and organizations, for action or prosecution.

## References

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KRS 164.375

AR 4:1 Registration of Student Organizations

AR 4:10 Code of Student Code

HR Policy 12

## Revision History

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5/6/11

For questions, contact: [Office of Legal Counsel](#)