MANUAL OF PROCEDURE

PROCEDURE NUMBER:	4028	**PAGE** 1 of 3
PROCEDURE TITLE:	Hazing	
STATUTORY REFERENCE:	FLORIDA STATUTES 1001.64 and 1006.63	
BASED ON POLICY:	IV-6 Hazing Prohibited	
EFFECTIVE DATE:	September 13, 2005	
LAST REVISION DATE:	~~November 5, 2019~~, March 11, 2024	
LAST REVIEW DATE:	~~November 5, 2019~~, April 26, 2024	

I. PURPOSE

Hazing is prohibited at the College. This procedure defines hazing, provides for the process of enforcement of the prohibition against hazing and the penalties for violations.

II. PROCEDURE

A. "Hazing" means any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes, including, but not limited to:

1) Initiation into any organization operating under the sanction of a postsecondary institution;
2) Admission into any organization operating under the sanction of a postsecondary institution;
3) Affiliation with any organization operating under the sanction of a postsecondary institution; or
4) The perpetuation or furtherance of a tradition or ritual of any organization operating under the sanction of a postsecondary institution.

The term includes, but is not limited to, pressuring or coercing the student into violating state or federal law; any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student; or any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student. The term does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

B. These rules shall apply to acts conducted on or off campus whenever such acts are deemed to constitute hazing.

C. It is not a defense to a charge of hazing that:

1) The consent of the victim had been obtained;
2) The conduct or activity that resulted in the death or injury of a person was not part of an official organizational event or was not otherwise sanctioned or approved by the organization; or
3) The conduct or activity that resulted in death or injury of the person was not done as a condition of membership to an organization.

D. Penalties:

Penalties for violations of the College policy on hazing shall be administered in accordance with College Procedure 4030 Student Disciplinary Procedures, subject to any limitations or additional penalties contained in Section 1006.63, Florida Statutes, summarized as follows:

1. Such penalties may 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 probation, suspension, or dismissal.

2. In the case of a College organization that authorizes hazing in blatant disregard of such rules, penalties may also include rescission of permission for that organization to operate on campus property or to otherwise operate under the sanction of the College.

3. All penalties imposed under this Procedure shall be in addition to any penalty imposed for violation of any of the criminal laws of this state or for violation of any other College rule to which the violator may be subject.

4. A person is subject to penalty for hazing whether the victim consented to the activity or not.

E. Criminal Penalties under Florida Law:

1. A person commits hazing, a third-degree felony, punishable as provided in Sections 775.082 or s. 775.083, Florida Statutes, when he or she intentionally or recklessly commits, solicits a person to commit, or is actively involved in the planning of any act of hazing as defined in paragraph II.A. herein, upon another person who is a member or former member of or an applicant to any type of student organization and the hazing results in a permanent injury, serious bodily injury, or death of such other person.

2. A person commits hazing, a first-degree misdemeanor, punishable as provided in Sections 775.082 or s. 775.083, Florida Statutes when he or she intentionally or recklessly commits, solicits a person to commit, or is actively involved in the planning of any act of hazing as defined in paragraph II.A. herein, upon another person who is a

member or former member of or an applicant to any type of student organization and the hazing creates a substantial risk of physical injury or death to such other person.

3. A court shall order any individual sentenced by a court of law pursuant to paragraphs E.1 and 2, to attend and complete a 4-hour hazing-education course and the court may also impose a condition of drug or alcohol probation.

F. Andrew's Law

1. A person may not be prosecuted under Section 1006.63, Florida Statutes if he or she establishes all of the following:

   a. That he or she was present at an event where, as a result of hazing, a person appeared to be in need of immediate medical assistance.
   b. That he or she was the first person to call 911 or campus security to report the need for immediate medical assistance.
   c. That he or she provided his or her own name, the address where immediate medical assistance was needed, and a description of the medical issue to the 911 operator or campus security at the time of the call.
   d. That he or she remained at the scene with the person in need of immediate medical assistance until such medical assistance, law enforcement, or campus security arrived and that he or she cooperated with such personnel on the scene.

2. Notwithstanding subsection II.F., a person is immune from prosecution under this section if the person establishes that, before medical assistance, law enforcement, or campus security arrived on the scene of a hazing event, the person rendered aid to the hazing victim. For purposes of this subsection, "aid" includes, but is not be limited to, rendering cardiopulmonary resuscitation to the victim, clearing an airway for the victim to breathe, using a defibrillator to assist the victim, or rendering any other assistance to the victim which the person intended in good faith to stabilize or improve the victim's condition while waiting for medical assistance, law enforcement, or campus security to arrive.



04/26/2024

PRESIDENT **DATE**