



## INSTITUTIONAL POLICY: ST-07

Category:	Students
Subject:	Antihazing
Effective Date:	August 14, 2017
Updated:	N/A

### ST 07-1. Authority

W. Va. Code § 18B-1-6

### ST 07-2. Purpose

This policy is a direct result of the requirements of West Virginia Code §18-16-1, et seq., known as the Antihazing Law. The Act requires institutions of higher education to adopt a policy and appropriate penalties for violations, in addition to the criminal penalties contained therein.

### ST 07-3. Policy

- 3.1 No student shall individually, or by joining with one or more other persons, engage in any act of hazing involving another member of the institutional community.
- 3.2 Hazing is defined by Section § 18-16-2, as follows in part:

“Hazing means to cause any action or situation which recklessly or intentionally endangers the mental or physical health or safety of another person or persons or causes another person or persons to destroy or remove public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the sanction of or recognized as an organization by an institution of higher education. The term includes, but is not limited to, any brutality of a physical nature, such as whipping, beating, branding, forced consumption of any food, liquor, drug, or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual or individuals, and includes any activity which would subject the individual or individuals to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual or individuals, or any willful destruction or removal or public or private property: **Provided**, That the implied or expressed consent or willingness of a person or persons to hazing shall not be a defense under this section...”
- 3.3 Students found to be involved in any hazing action or activities shall be subject to institutional disciplinary action as described in Institutional Policy GA-14: Equal Opportunity, Nondiscrimination, Sexual Misconduct, and Other Forms of Harassment or Institutional Policy ST-01: Academic and Professional Standards. Sanctions may be probation, suspension, or dismissal, whether or not there is prosecution for such actions in

local, state, or federal courts. Additionally, said students may be prosecuted in civil courts for hazing activity and resulting actions may include fines no less than \$100 and no more than \$1,000, or confinement in a county or regional jail, not more than nine months, or both fined and imprisoned. If the activity is deemed a felony they will be prosecuted in a criminal court and penalties will be those provided for a felony.

- 3.4 Student organizations which are identified as groups engaging in hazing activity by virtue of the fact that a member has engaged in hazing shall be removed from the list of institutionally authorized clubs for up to two academic years by the Vice President for Academic Affairs and Dean.
- 3.5 Reinstatement of a club as an active organization shall not be automatic, but shall be an administrative decision. Any student found guilty of participating in hazing shall not be allowed to join the club if it is re-established.
- 3.6 This policy, like the Antihazing Law, applies to acts conducted both on and off campus whenever such acts are deemed to constitute hazing.