

## Hazing Policy

### **POLICY STATEMENT**

The University of San Francisco prohibits hazing both on and off campus. It is not necessary that the act meets the legal definition of hazing in order for the University to consider it a violation of the Student Conduct Code. Students who violate the Student Conduct Code in this manner, in addition to any criminal and/or civil penalties, are subject to University disciplinary action which may include expulsion.

In the Fall of 2006, California Senate Bill 1454, also known as “Matt’s Law” was enacted. This law codifies within California’s penal code the definition of hazing and prescribes misdemeanor penalties for people or organizations that haze and felony penalties for hazing that results in death, great bodily injury, or great psychological injury. The law gives prosecutors the authority to bring charges against any person or organization involved in hazing and allows a person against whom hazing is directed to bring civil action against the organization or any participants in the organization.

### **CALIFORNIA STATE LAW**

California Education Code Sections 32050 and 32051 have been repealed and replaced with the following in the California Penal Code:

- a. 245.6. (a) This section shall be known and may be cited as "Matt's Law" in memory of Matthew William Carrington, who died on February 2, 2005 as a result of hazing.
- b. As used in this section "hazing" or "haze" is conduct which causes, or is likely to cause, bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to another person in the course of the other person's pre-initiation into, initiation into, affiliation with, holding office in, or maintaining membership in any organization. The terms "hazing" or "haze" do not include customary athletic, fire department, police department, military, or quasi-military training, conditioning, or similar events or activities.
- c. Any person who hazes or conspires to participate in hazing is guilty of a misdemeanor punishable by a fine of not less than one hundred dollars (\$100), nor more than five thousand dollars (\$5,000), or imprisonment in the county jail not to exceed one year, or by both fine and imprisonment.
- d. Any person who hazes or conspires to participate in hazing which results in death, great bodily injury, or great psychological injury is guilty of a felony punishable by imprisonment in the state prison.
- e. An organization is guilty of violating subdivisions (b) or (c) if the organization's agents, directors, trustees, managers, or officers authorized, requested, commanded, encouraged, participated in, ratified, or tolerated the hazing.
- f. The implied or expressed consent of the person or persons against whom the hazing was directed shall not be a defense to any action brought under this section.
- g. This section does not apply to the person against whom the hazing was directed.
- h. This section shall not, in any manner, limit or exclude prosecution or punishment for any other crime or any civil remedy.
- i. The person against whom the hazing is directed may commence a civil action for injury or damages, including mental and physical pain and suffering that results from the hazing. The action may be brought against any participants in the hazing, or any organization whose

agents, directors, trustees, managers, or officers authorized, requested, commanded, encouraged, participated in, ratified, or tolerated the hazing. If the organization is a corporation, whether for profit or not, the individual directors of the corporation may be held individually liable for damages.

**REPORTING A VIOLATION**

If you believe you are a victim of hazing or know of instances of hazing, you should report this information to the Assistant Vice Provost and Associate Dean of Student Development (UC 5th Floor). The staff will connect student who may be victims with appropriate support resources. To learn more about hazing please refer to [www.stophazing.org](http://www.stophazing.org).

**UNIVERSITY ACTION**

Should the University become aware of hazing by a student organization or any of its members, the University may immediately suspend the organization or group pending an investigation into the allegations. Allegations of hazing are resolved in accordance with the Student Conduct process. Students and/or student organizations found responsible for violating the Hazing Policy are subject to the full range of disciplinary sanctions. For more information, please refer to the Student Conduct System.