

## **Arkansas Hazing Law**

### **§ 6-5-201. Definition**

(a) As used in this subchapter, unless the context otherwise requires, "**hazing**" means:

(1) Any willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student alone or acting with others which is directed against any other student and done for the purpose of intimidating the student attacked by threatening him with social or other ostracism or of submitting such student to ignominy, shame, or disgrace among his fellow students, and acts calculated to produce such results; or

(2) The playing of abusive or truculent tricks on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student alone or acting with others, upon another student to frighten or scare him; or

(3) Any willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student alone or acting with others which is directed against any other student done for the purpose of humbling the pride, stifling the ambition, or impairing the courage of the student attacked or to discourage him from remaining in that school, college, university, or other educational institution, or reasonably to cause him to leave the institution rather than submit to such acts; or

(4) Any willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student alone or acting with others in striking, beating, bruising, or maiming; or seriously offering, threatening, or attempting to strike, beat, bruise, or maim; or to do or seriously offer, threaten, or attempt to do physical violence to any student of any such educational institution; or any assault upon any such student made for the purpose of committing any of the acts, or producing any of the results, to such student as defined in this section.

(b) The term "**hazing**" as defined in this section does not include customary athletic events or similar contests or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.

### **§ 6-5-202. Prohibitions**

(a) No student of any school, college, university, or other educational institution in Arkansas shall engage in what is commonly known and recognized as **hazing** or encourage, aid, or assist any other student in the commission of this offense.

(b) (1) No person shall knowingly permit, encourage, aid, or assist any person in committing the offense of **hazing**, or willfully acquiesce in the commission of such offense, or fail to report promptly his knowledge or any reasonable information within his knowledge of the presence and practice of **hazing** in this state to an appropriate administrative official of the school, college,

university, or other educational institution in Arkansas.

(2) Any act of omission or commission shall be deemed **hazing** under the provisions of this subsection.

§ 6-5-203. Penalties

(a) The offense of **hazing** is a Class B misdemeanor.

(b) Upon conviction of any student of the offense of **hazing**, he shall, in addition to any punishment imposed by the court, be expelled from the school, college, university, or other educational institution he is attending.

**UCA Policy Against Hazing** (UCA Handbook, page 82)

Participation in hazing. Hazing is defined as any intentional action taken or situation created, whether on or off university property, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities shall include, but not be limited to, paddling, beating, scavenger hunts, road trips, any activity resulting in fatigue, physical or psychological shock, wearing apparel that is uncomfortable to the individual or which is conspicuous and not normally in good taste, engaging in public stunts or buffoonery, morally degrading or humiliating games or activities, giving of food or drink that is distasteful or designed to provoke nausea, any form of verbal harassment, any action created subjugating an individual to a condition in which the person might tend to lose self-respect, suffer injury to personal dignity, or is required to compromise personal values, any activity which interferes with scholastic duties, threatening in any manner or form for the purpose of cajoling individuals into secrecy in regard to breaches (planned, threatened, attempted, or perpetuated) of the IFC, NPHC or Panhellenic Hazing Code and/or Constitution.

(end of policy)

## **Hazing...There Is A Better Way**

Fraternities and sororities, as well as other student organizations or athletic teams, are prohibited from hazing. Many are surprised that it is not only a violation of University policy, but hazing is also prohibited in the state of Arkansas and a violation of state law.

There are many hazing "myths" or mistaken beliefs.

**Myth #1:** Hazing is primarily a problem for fraternities and sororities.

**Fact:** Hazing is a societal problem. Hazing incidents have been documented frequently in the military, athletic teams, marching bands, religious cults, professional schools and other types of clubs and/or organizations.

**Myth #2:** Hazing is no more than foolish pranks that sometimes go awry.

**Fact:** Hazing is an act of power and control over others - it is victimization. Hazing is premeditated and not accidental. Hazing is abusive and degrading, and may be life-threatening.

**Myth #3:** As long as there's no malicious intent, a little hazing is okay.

**Fact:** Safety may be compromised by traditional hazing activities, even those considered to be "in good fun," and even in the absence of malicious intent. For example, serious accidents have occurred during scavenger hunts and kidnapping trips. The risks of hazing far outweigh any potential "benefits" of such activities.

**Myth #4:** Hazing is an effective way to teach respect and develop discipline.

**Fact:** Respect must be earned - it cannot be taught. Victims of hazing rarely report having respect for those who have hazed them. For example, would you respect the person that yells at you or the person that helps you wax the floors for parents weekend? As with other forms of victimization, hazing breeds mistrust, apathy, and alienation in an organization/group. It does nothing to bring the group together as one.

**Myth #5:** If someone agrees to participate in an activity, it cannot be considered hazing.

**Fact:** In states that have laws against hazing, consent of the victim cannot be used as a defense in a civil suit. This is because even if someone agrees to participate in a potentially hazardous action, it may not be true consent when considering peer pressure and the victim's desire to belong to the group.

**Myth #6:** It's difficult to determine whether or not a certain activity is hazing - it's such a gray area sometimes.

**Fact:** It's not difficult to decide if an activity is hazing if you use common sense and ask yourself the following questions:

- Will active/current members of the organization refuse to participate with the new members and do exactly what they're being asked to do?
- Is there risk of injury or a question of safety?
- Would you object if the activity were featured in the school newspaper or on a local TV news program?
- Would you have any reservation about describing and justifying the activity to your parents, to a professor, or to the Chancellor?
- Would you invite the Executive Director of your International fraternity or sorority?

If the answer to any one of these simple questions is "yes," the activity is probably hazing.

What are some examples of hazing?

These activities have at one time or another been construed as hazing by the courts and/or institutions or higher education:

- Paddling or striking in any manner
- Marking or branding
- Physical harassment: pushing, cursing, yelling, etc.
- Staging any form of "line-up"
- Conducting any type of "hell week" activities
- Requiring new members to practice periods of silence
- Phone duty
- Requiring the carrying of items such as statues, rocks, paddles, etc.
- Requiring calisthenics such as sit-ups, push-ups, etc.
- Sleep deprivation
- Preventing / restricting class attendance
- Forcing or coercing someone to eat or drink against their will
- Completing tasks in order to obtain signatures
- Preventing personal hygiene
- Causing indecent exposure
- Requiring uncomfortable attire
- Keeping the date of initiation into the group a secret
- Work parties / clean up for new members only
- Scavenger or treasure hunts

## **What can I do to combat hazing in my organization?**

As a member - new or initiated - of a fraternity or sorority at UCA, you have an obligation to ensure that your organization upholds the principles upon which it was founded, as well as to protect your own dignity. UCA and your fraternity or sorority headquarters will be anxious to work with you to combat this problem. It is important that you are completely honest about your situation. If you have witnessed or know about inappropriate activities taking place on your organization, it is important that you notify the following persons or offices:

- International headquarters
- Chapter/Regional advisor to the organization
- Dean of Students
- Office of Greek Life

## **Some traditions are better broken . . . but how?**

Universities are challenged to help Greek organizations come up with ways to combat hazing. Through our office, we are working closely with the All Greek Council, IFC, NPC, and NPHC and their officers to educate members on the policies against hazing and alternative activities. Providing alternative programming is not the only solution to ride your organization of hazing. Replacing a questionable activity with another activity does not attack the problem completely. To deal effectively with hazing in your organization, you should make efforts to increase:

Awareness among your members - Use case studies, surveys, news stories, international policy statements, or special national publications that discuss hazing practices to help inform members of the dangers and negative ramifications of hazing.

Education of your members - Employ on-campus resources, such as leadership conferences, resource libraries, videos, manuals, or UCA professional staff to help educate members of your organization on ways to address and correct hazing problems.

Detection of violations by your members - The organization can be held responsible for the hazing actions of individual members, even if the organization as a whole is not involved. It is important to look for activities and comments that may suggest a member or group of members is hazing other members.

Corrective action - Do not overlook any hazing problems you find in your organization. It is crucial that those members who are found in violation of hazing policies be disciplined for their actions. Corrective action should be tailored to the incident, taking the severity and nature of the problem, alumni/ae involvement, environment and any other pertinent factors into consideration. Your willingness to address these problems will help if you are found responsible for hazing by your International organization or the University.

## **How To Report Hazing**

If you feel you have been a witness and/or a victim of hazing, please contact University Police at 450-3111 and file a police report. You may also contact the Dean of Students at 450-3416.

If you do not wish to file a police report, but would like to talk to someone about hazing, you may visit the UCA Counseling Services. It is free and confidential. You may contact Counseling Services for an appointment at 501-450-3138.

You can also report hazing through the free Anti-Hazing iPhone App available through Apple.  
<http://itunes.apple.com/us/app/anti-hazing/id354836483?mt=8>