
HAZING ON
COLLEGE
CAMPUSES; WHO IS
RESPONSIBLE?

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SPRING 2024

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Introduction

Elon University defines hazing as “any activity expected of someone who is joining a group (or who is trying to maintain full status in a group) that humiliates, degrades or risks harming that person financially, emotionally, or physically, regardless of the person’s willingness to participate,”(1). This definition is often regarded as the standard for federal and state law and many universities' codes of conduct. The question is, why do students haze who is behind it? When students are suspected of hazing, what happens to them and the organization they are a part of? Over recent years, hazing deaths have grown drastically, with over **100 people from January of 2000 dying**, and **60** of these deaths were connected to a substance, most commonly **alcohol** (2). There are rules around hazing at many schools, but just like any rule, they are disobeyed; the situation after that leaves many students, schools, and parents wondering.

Hazing Tragedies

There are various examples of students being given power over other students' lives in different organizations across their campuses. Specifically, sororities and fraternities are where the majority of hazing cases stem from in the United States. Most of the cases that are made public are stories of tragedy. From Ohio State University to Louisiana State University, the nation has dealt with heartbreak after heartbreak, and the leading cause is the irresponsibility of institutions and organizations, creating a hierarchy of power within themselves. Students like Stone Foltz and Maxwell Gruver were two victims of hazing; their stories were made nationwide in the hope of creating change in the federal government.

Foltz, a student at Bowling Green State University, and Gruver, a student at Louisiana State University, both passed due to the overconsumption of alcohol during their fraternity rituals. These cases caught the media's eye because of the large compensations their parents were awarded after their organization's mistakes. The Foltz family settled with Bowling Green State for over **\$7 million** (3), and the Gruver family settled with LSU for **\$6.1 million** (4). Although the money may help these families live comfortably, nothing can replace the lives of the sons they lost due to the immaturity and carelessness of hazing traditions.

Alongside the catastrophes that occur from the loss of a student due to hazing, there are also instances where hazing is being wrongfully accused by organizations, such as at the University of Maryland. An anonymous call was made to the school's administrative office describing hazing events that were occurring with one of the fraternities on the school's campus. The anonymous source elaborated on a fraternity tradition called "Line Up," which was described as a time for the "pledge master" and other older members to haze the new members. The actions the caller reported on members being abused for multiple hours at a time, where they were forced to do exercises, drink copious amounts and be publicly humiliated. When the University suspended and investigated the rest of the Greek organizations on campus, more tension built between the students and those in power. The University only had substantial evidence for one fraternity. While investigating members of other sororities and fraternities on campus, I found that they were unjust and violated many student rights during their process. Not only were students' phones **illegally searched**, but they were also **forbidden from having a lawyer present** during their interrogations (5).

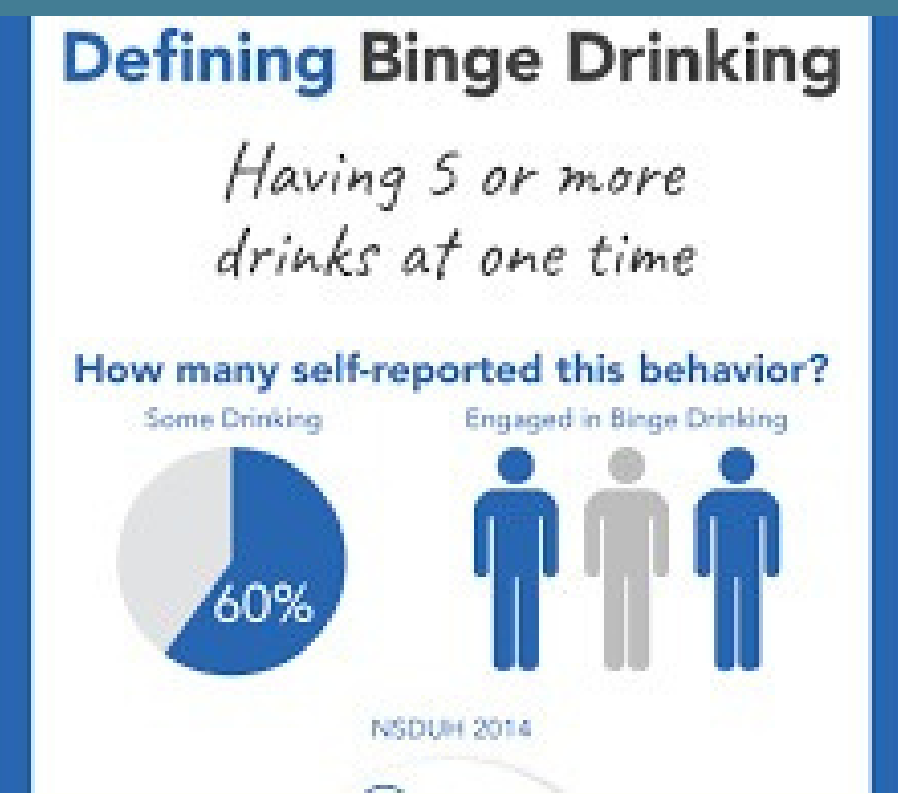
The Reality of Pledging

1
53% of hazing is forcing pledges to participate in a drinking game



2
31% of hazing is forcing pledges to sing or chant in public

3
26% of hazing is forcing pledges to drink excessively



4
19% of hazing is forcing pledges to undergo sleep deprivation

5
18% of hazing is verbal abuse to pledges



Not having a lawyer present during a hazing interrogation by a University is a violation of Title IX of federal law, which permits students to be guaranteed a lawyer at any disciplinary hearings if requested (6). This transitions the conversation about hazing from institutions' rules to the possibility of a federal law being created to secure the safety of students to ensure school investigators don't infringe upon their rights.

Who is Responsible?

Schools have long been a topic of discussion regarding responsibility for hazing-related incidents, but what liability do they bear? In her thesis, Brooklyn Hollis, an honors student at Indiana State University, explores the parallels between Greek life on campuses and how students and universities interact regarding Greek life.

Loco parentis, Latin for “in [the] place of a parent or instead of a parent,” (7) but what does this mean for the sake of hazing? Hazing often occurs on the grounds of a school or with funding from the school, yet schools can flee any legal repercussions. Many currently wonder why this is the case, yet there is one apparent reason.

In a 1979 ruling by the Supreme Court in the case *Bradshaw v. Rawlings*, loco parentis was taken away from universities, allowing them to be no longer seen as the parents of students. In this case, the university sponsored an event for students and purchased alcohol, and a student died in a drunk driving accident. This result was that loco parentis for universities was reversed, meaning schools could no longer be held responsible for students' actions at their institutions.

Since this decision, universities have consistently been exempt from consequences whenever a Greek life incident occurs. As time has progressed, schools have begun slowly embedding themselves further into student lives and activities, leading many experts, such as Kerri Mumford, to believe it is time for universities to be held accountable. While the national chapter is the governing body for the respective Greek organizations, no one plays a more prominent role in governing universities. In most schools, greek life receives funding from mandatory student fees. In one case at Virginia Commonwealth University, the Office of Fraternity and Sorority Life (FSL) was given **\$70,421.28** from the school, about two outstate students' tuition for a year. The money awarded to FSL, however, was not disclosed on what the money was being put towards (8).

Transitioning to looking at student accountability depends on who you are and what you are.

The IFC, or the **Interfraternity Council**, is the governing body for all fraternities on campus and consists of officials from each fraternity.

Each of these representatives in the body represents the individual interests of their respective chapters and the stability of Greek life on campus. The people in this body are students, meaning they are subject to the same rules as all other students. Are they? According to the IFC, these students are different and, therefore, are privy to insurance. Moreover, this insurance is also extendable to the executive members of each fraternity on campus, leaving many members helpless if something occurs. The policy for the insurance states that it will include “general liability insurance, commercial crime insurance, and protection for directors and officers,” meaning that those not included within this policy will bear the brunt of repercussions (9). When one sorority at a school in North Carolina was suspected of hazing, regular members were held accountable for hazing rather than executive members who either authorized or encouraged that hazing. In the case of this school, executive members were able to escape individual accountability, as 20 members of this sorority who were not part of this select group faced the majority of punishment, including not being allowed to **study abroad**.

This action led to much outrage by non-executive sorority members as a refund was not guaranteed for the deposit they made for their semester away. While the university disciplined the chapter as a whole and placed severe restrictions on what it could and couldn't do for the next couple of years, no individuals were punished for their actions besides those mentioned above. Punishments were minimal in the case of other incidents at this school, including hazing. One fraternity, Sigma Phi Epsilon, was reported for actions of hazing, and they received one-year probation and an education workshop, among other reflective exercises. This case in 2021 set an example, most likely that the **school condones hazing**, yet it is just seen as customary when it is done for frats. In another case at the same school, the sorority Phi Mu participated in hazing practices as defined by the school and only received a semester-long probation period. When comparing the similar actions that occurred for these organizations and then looking at the example that happened this year, unequal consequences occurred, leaving many to speculate both in and out of the sorority that favorites were at play in this process (10).

Inside Details from a Pledge Master

To get a personal perspective on the issue of hazing on Elon's campus, one of the fraternities, "**Pledge Masters,**" was interviewed, whose identity will be kept anonymous. During this interview, he elaborated on many inner secrets within an organization's pledging process. The more critical information that was received had to do with blame. The interviewee was asked what would happen if something terrible happened to one of the pledges. Would he get in trouble, or would it be someone else in the fraternity who gets punished? His response enlightened us on how systematically this process is planned out. When discussing blame, our interviewee emphasized that "both should be held accounting for hazing, the executive board, and the hazer nazi peridium." This added some clarity to who is responsible for the well-being of pledges and, if anything were to happen, where the blame is supposed to fall. However, this is not always the case when something disastrous occurs. Although each of these policies depends on the independent organization's rules, the information from this interview only exemplifies the greater need for federal regulation of hazing. It also shows that even though **hazing is considered illegal** in North Carolina state laws, it is still going on. With the addition of federal law, hazing will be diminished in American society.

Legal Repercussions

While many wonder why hazing is still such a prevalent issue when there have been so many cases in which students have been severely injured or lost their lives, one reason shines through: money. EAB, a company specializing in education, revealed data showing donations to the school and comparing Greek affiliation to nonaffiliated alums. In a case study at the College of Charleston, they noticed a claim that has been shared dozens of times that Greek life alums donate 75% of all the money given to universities (11). This claim may explain why hazing is so acceptable, but it must be examined more.

The College of Charleston case study found that of those in Greek life, 10.9% will donate as compared to the non-Greek alumnus, in which only 5.5% donate. While this statistic looks at alums of all ages, another study examined the same groups as the prior research. Still, specifically, this time, we looked at those who graduated 15+ years ago. In this case, the rate for affiliated alums went to 12.8%, an almost 2% increase as non-Greek affiliated alums went to 5.8%, and only a .3% increase compared to the nearly 2% increase (12).

While the data displayed above may explain why hazing is often thrown under the rug or when groups are found guilty of hazing, punishments are minimal. However, it is essential to note that Greek life is a crucial marketing point for many colleges and universities. When looking at U.S. News and World reports, one of the criteria they look at is schools with the highest levels of students in fraternity and sorority life. Not only that, but Niche, another ranking website for schools, looks at schools with the best Greek life. For many students, this ranking is a critical factor in the decision process, and for schools such as the University of Alabama, it is one of the brand signatures.

While change needs to be made, it is the question of who is ready and who has to make the change. For many, the shift to collegiate responsibility is the main push. As schools have become more involved in students' lives, it is time for them to be held liable once again. In the case of one school, frats were shut down after students had their rights to due process violated. To enact further progress, due process for students must be upheld even if their actions violate school, state, or federal laws. It is important to note that due process is not guaranteed for Greek organizations at any university. This action is very striking as people are guaranteed the right to due process no matter who or what they are (13).

Conclusion

Hazing is one of the many dangers college kids can experience while gaining a higher education at an academic institution. The casualties of hazing are much more detrimental to society than the occurrence of these events. As of right now, the majority of US state governments have their own **personal hazing laws**. However, there is no federal law protecting the students themselves. With the installment of a **federal law** to regulate hazing on college campuses, it would not only make students more comfortable joining organizations without the fear of being publicly humiliated, but it would also protect institutions by ensuring that there will be no hazing scandals on their campuses.

Work Cited

1. “Alcohol and Hazing.” Alcohol and Hazing | The Gordie Center, 2022.
<https://gordie.studenthealth.virginia.edu/learn/hazing-education/alcohol-hazing>.
2. “The Alumni Segment That Gave at a Nearly 2x Greater Rate at the College of Charleston.” EAB, November 22, 2019.
<https://eab.com/resources/blog/advancement-blog/greek-affiliated-alumni-2x-giving-rate/>.
3. Buttar, Shaan. “How Green Alumni Benefit The Entire College Community .” Room for debate, May 3, 2017. <https://blogs.elon.edu/roomfordebate/shaan-buttar-how-can-greek-alumni-benefit-the-entire-collegiate-community/>.
4. “Family Settles Lawsuit over Stone Foltz’s Hazing Death in ‘Largest Payout’ by a Public University in Ohio History.” CBS News, January 23, 2023.
<https://www.cbsnews.com/news/stone-foltz-hazing-death-lawsuit-three-million-bowling-green-university-ohio/>.
5. “Full-Service NC Criminal Defense Attorney.” Dysart Willis, 2024.
<https://dysartwillis.com/practice-areas/campus-discipline-title-ix/>.
6. “Hazing Prevention.” Elon University. Accessed May 4, 2024.
<https://www.elon.edu/u/hazing/>.
7. Hellgran, Mike. “University of Maryland Lifts Greek Life Suspension, Court Documents Detail Hazing Allegations.” CBS News, March 18, 2024.
<https://www.cbsnews.com/baltimore/news/university-of-maryland-lifts-suspension-on-fraternities-and-sororities-in-college-park-five-chapters-remain-under-investigation/>.
8. Hollis, Brooklyn M. “A Study of Due Process in Relation to Greek Life Affairs.” Indiana State University, December 4, 2015.
https://scholars.indstate.edu/bitstream/handle/10484/12111/Hollis_Brooklyn_2015_HT.pdf.
9. “In Loco Parentis.” Legal Information Institute, January 2023.
https://www.law.cornell.edu/wex/in_loco_parentis.
10. Shelton, Todd. “IFC Insurance Program - NIC: North American Interfraternity Conference.” NIC, September 15, 2023. <https://nicfraternity.org/ifc-insurance/>.
11. “Student Organization Disciplinary Status.” Elon University, 2024.
<https://www.elon.edu/u/student-involvement/student-organizations/student-organization-disciplinary-status/>.
12. Tom. “Greek Life Gets Funding from Mandatory Student Fees.” Medium, May 1, 2021. <https://tomthewriter.medium.com/vcu-greek-life-gets-funding-from-all-students-524eb9a549ee>.