

San Jose State University
Candidate/Aspirant/New Member Hazing Compliance Form
(This form must be turned in during schedule meeting with FASL Staff)

Hazing in any form is strictly prohibited. Hazing is a broad term that encompasses a multitude of actions and activities. The term hazing refers to any actions or activities that may negatively affect the development of a person or an organization; which cause mental or physical harm; or which subject individuals to harassment, embarrassment, ridicule or distress. Examples of situations that are considered hazing include, but are not limited to tests of endurance, physical abuse, psychological abuse, morally degrading or humiliating activities, forced ingestion of any substance, servitude, or any actions that interfere with academic pursuits.

Section 245.6 of the California Penal Code reads:

- (a) It shall be unlawful to engage in hazing, as defined in this section.
- (b) "Hazing" means any method of initiation or pre-initiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university, or other educational institution in this state. The term "hazing" does not include customary athletic events or school-sanctioned events.
- (c) A violation of this section that does not result in serious bodily injury is 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 for not more than one year, or both.
- (d) Any person who personally engages in hazing that results in death or serious bodily injury as defined in paragraph (4) of subdivision (f) of Section 243 of the Penal Code, is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in county jail not exceeding one year, or by imprisonment in the state prison.
- (e) The person against whom the hazing is directed may commence a civil action for injury or damages. The action may be brought against any participants in the hazing, or any organization to which the student is seeking membership whose agents, directors, trustees, managers, or officers authorized, requested, commanded, participated in, or ratified the hazing.
- (f) Prosecution under this section shall not prohibit prosecution under any other provision of law.

SEC. 5. This act 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.

