

WEST VIRGINIA CODE: §18-16-2

§18-16-2. Definitions.

As used in this article:

(1) "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 the members of which are primarily students or alumni of an institution of higher education. The term includes, but is not limited to, acts of a physical nature, such as whipping, beating, branding, required consumption of any food, liquor, drug, or other substance, or any other required physical activity which could reasonably be deemed to adversely affect the physical health and safety of the person or persons so treated, and includes any activity which would subject the person or persons so treated to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, required conduct which could result in extreme embarrassment, or any other required activity which could reasonably be deemed to adversely affect the mental health or dignity of the person or persons so treated, or any willful destruction or removal of public or private property: Provided, That the implied or expressed consent or willingness of a person or persons to hazing may not be a defense under this section.

(2) "Institution of higher education" or "institution" means any public or private institution as defined in §18B-1-2 of this code.

(3) "Organization" means any fraternity, sorority, association, corporation, order, society, corps, club, or similar group, or a national or international affiliate thereof, the membership of which is primarily made up students or alumni of an institution of higher education.