



The College at
BROCKPORT
STATE UNIVERSITY OF NEW YORK

POLICY TITLE: Hazing Policy

OVERVIEW: This policy defines hazing and informs students and organizations of possible disciplinary action(s) when found in violation of The College's hazing policy. Students and organizations may also be subject to criminal prosecution for violation of the New York state anti-hazing law.

OFFICE/DEPARTMENT RESPONSIBLE: Student Conduct Office

DATE UPDATED: Approved by the College Council on April 4, 2006
Updated on July 13, 2017

STATEMENT OF POSITION

The College at Brockport recognizes that student groups/organizations and athletic teams are integral parts of campus life. They provide leadership opportunities, social and academic support, scholarship, friendship and community service. The College has an obligation to protect the environment within which they operate. All students are expected to conduct themselves responsibly and respect the rights of their fellow citizens. Any departure from these standards may result in disciplinary action.

CODE OF STUDENT CONDUCT

Hazing is, regardless of intent, any action that degrades, humiliates, abuses or endangers the mental, emotional, or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group, team or organization whether officially recognized or not recognized by The College. The express or implied consent of the victim(s) does not mean that hazing did not occur.

All students and/or student groups, registered/recognized or non-recognized are also subject to College disciplinary actions for any hazing policy violations.

A person(s) or organization(s) may be charged with hazing under The Code of Student Conduct. Please see The Code of Student Conduct, Section 7: Disciplinary Actions/Sanctions for the range of sanctions for persons/organizations found responsible. Please note that sanctions to persons found responsible of hazing range up to and include expulsion and possible criminal charges. Sanctions for organizations found responsible of hazing range up to and include permanent loss of recognition and possible criminal charges against the organization's leaders and/or members. Charges of hazing are referred to and investigated by University Police and/or the local municipal law enforcement agency having legal jurisdiction. Any questions regarding this policy should be directed to the Office of the Vice President for Enrollment Management and Student Affairs at (585) 395-2137 or the Student Conduct Office at (585) 395-2122.

NEW YORK STATE LAW

The New York State law states that a person is guilty of hazing when, in the course of another person's initiation into or affiliation with any organization, s/he intentionally or recklessly engages in conduct that creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury. This offense is a Class A misdemeanor, which may be punishable by:

- a. Three (3) years probation and up to \$1000 fine.
- b. One (1) year in jail and up to \$1000 fine.
- c. Sixty (60) days in jail, three (3) years probation and up to \$1000 fine.

- d. Conditional discharge and up to \$1000 fine.
- e. Facing permanent criminal record.

REPORTING HAZING

1) *How to Report Hazing*

- a. Hazing can be reported officially to Student Conduct and/or University Police. University Police is located in Lathrop Hall. Student Conduct's office is located in Thompson Hall, Residential Life/Learning Communities. You can also report Hazing to an administrators on campus and any Residential Life Staff member (Resident Assistant or Resident Director).
- b. Hazing can also be reported online using an online form located on the Student Conduct website at www.brockport.edu/studentconduct. Once submitted it will be reviewed by the Student Conduct and next steps will be determined. When completing the form, please fill out all the information to the best of your ability. Choose "Hazing Incident" in the "Nature of this Report" section.
- c. Reports can be made anonymously. However, the College may be limited in its ability to respond to or investigate a report with incomplete information.

2) *Self-Reporting of Hazing*

- a. Student organization/team members and officers/captains are expected to, and should immediately report any hazing incidents that occur within their organization to the College (i.e. Student Conduct Office and/or University Police), providing a detailed description of the events that have transpired, the names of any individuals involved, and a description of any actions taken by the organization to stop the hazing. Upon receiving the report, an investigation may commence.

3) *Policy for Alcohol and/or Drug Use Amnesty in Hazing Cases*

- a. The health and safety of every student at the College at Brockport is of utmost importance. The College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that hazing, occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The College strongly encourages students to report incidents of hazing to College officials. A bystander acting in good faith, or a reporting individual acting in good faith, who discloses any incident of hazing to College officials or law enforcement will not be subject to the College's code of conduct for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the hazing.

EXAMPLES OF HAZING ACTS

Listed here are examples of prohibited hazing acts that may violate the Code of Student Conduct definition hazing and/or New York State law. This is not an exhaustive list, therefore, an act that is not listed here, may still be considered hazing:¹

- Severe emotional distress
- Punching/Kicking/Choking
- Serious bodily injury
- Compelling pledges/members/teammates to eat unknown substances
- Locking pledges in a room and blaring loud music
- Forced consumption of alcohol
- Remote area drop offs
- Illegal Substances
- Demeaning or degrading acts
- Sleep deprivation
- Paddling
- Drinking games
- Calisthenics/Swimming/Drowning
- Kidnapping

¹ "Hazing Adjudication Guide for Colleges and Universities", Tamara Saundaers & Chelsea Bente, 2013

- Calling members at unannounced times to arrive at a location
- Forced neglect of personal hygiene
- Prohibition of wearing certain colors
- Prohibition of wearing make-up
- Prohibition of talking to partners or significant others
- Disabling social media
- Required memorization for fear of punishment
- Forced signature punishment for failures
- Gifts for members
- Requirement of running personal errands for members
- Forced carry of items on campus
- Clean up houses and rooms
- Excessive amount of time spent at house or with group
- Perform embarrassing acts in front of others
- Fear of retaliation
- Forced into a position for long periods of time
- Incidents of a violent sexual nature

DEFINITIONS

For purposes of this policy:

- 1) Organization means an athletic team, association, club sports, order, society, corps, cooperative, student organization, fraternity, sorority or other similar group (recognized and associated with the College and not, please see College Policy on Student Organization Affiliation) that is affiliated with the College. Organization may include a local chapter, unit or other local division consisting primarily of students, regardless of the nature of membership of the larger public or private organization. Hazing can occur regardless of the person's willingness to participate.
- 2) The term "student" includes all persons taking courses at The College at Brockport, either fulltime or part time, matriculated or non-matriculated, pursuing undergraduate, graduate, or professional studies. Student means anyone who is enrolled at The College at Brockport. Persons who withdraw after allegedly violating the The Code of Student Conduct, who are no longer enrolled for a particular term but who have a continuing relationship with The College at Brockport, formally or informally, are still considered students. Persons who have been notified of their acceptance for admission are considered "students".
- 3) The Code of Student Conduct applies at all locations of The College at Brockport, including the MetroCenter.
- 4) Students may also be held responsible for violating the Hazing Policy if they are off campus but associating with groups or organizations primarily consisting of College at Brockport students.

Links to New York State law on Hazing:

Hazing 1st Degree and Hazing 2nd Degree — Sections 120.16 and 120.17

Sentences for Misdemeanors and Violations — Section 70.15