



Committee Meeting: Policy Committee	Date: December 14, 2018
Committee Chair: Kathleen Masiello - members present page 3	
New or Edited: Edited V-D-4 Anti-Hazing Policy	

POLICY NAME: Anti-Hazing Policy

POLICY TYPE: Board

SUBMITTED BY: Nora Clark, Vice President of Student Affairs

ISSUE OR STATEMENT OF PURPOSE: SUNY Erie Community College recognizes that student groups, organizations and athletic teams are an integral part of campus life. They provide leadership opportunities, social and academic support, friendship, and community service. The College has an obligation to protect the environment in which they operate.

NEW OR EDITED POLICY: Edited V-D-4 Anti-Hazing Policy, approved 4/81, 6/88 and 9/00
Preface:

SUNY Erie Community College is governed under the direction of the State University of New York (“SUNY”), and its rules, regulations and procedures. Furthermore, the College recognizes the SUNY’s Rules for the Maintenance of Public Order, which includes Anti-Hazing Regulations, and its effects on the College.

Policy:

Hazing, as defined below, is prohibited by organizations affiliated with SUNY Erie either on campus or off. 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. Charges of Hazing will be reported and investigated by the Campus Dean of Students, Campus Safety and/or local law enforcement.

Definition of Hazing:

Hazing is defined as any action or series of actions that recklessly or intentionally endangers the mental or physical health or safety of a student for any person, including but not limited to initiation into, admission into or affiliation with any Student group or organization.



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Hazing occurs if a person or group:

- a. Causes or attempts to cause physical injury or other harm to a student, including but not limited to emotional distress, or engages in any conduct that presents a threat to the student's health or safety. Hazing includes but is not limited to any physical brutality, such as whipping; beating; branding; exposure to the elements; forced consumption of any food, alcohol, drug or other substance; forced physical activities that could adversely affect the physical health, mental health or safety of any student and any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced sexual conduct or forced exclusion from social contact.
- b. Engages in an action or activity that has a tendency to or is intended to demean, disgrace, humiliate or degrade a student. This includes but is not limited to forced conduct that could result in extreme embarrassment or servitude, or other forced activity that could adversely affect the mental health or dignity of the student.
- c. Engages in conduct that by design, intent or recklessness causes a student to be reasonably unable to pursue, or which interferes with, or attempts to interfere with, a student's academic success.
- d. Causes, induces, pressures, coerces or requires a student to violate the Law or any College regulation.

The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule. Students observing hazing are required to report it to Dean of Students or Security and may do so anonymously. Examples of hazing include, but are not limited to, paddling or other physical abuse or brutality, activities involving illegal acts of excessive fatigue and/or stress, and verbal and/or psychological abuse that compromise the dignity of individuals.

New York State Anti-Hazing Law: Education Law S.6831-B or A. 11012B

The Trustees or other governing board of every college chartered by a Regents or incorporated by a special act of the Legislature shall adopt rules and regulations for the maintenance of public order on college campuses and other college property used for educational purposes and provide a program for the enforcement thereof. Such rules and regulations shall prohibit, among other things, any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization. Such rules and regulations shall govern the conduct of students, faculty, and other staff as well as visitors and other licensees and invitees on such campuses and property. The penalties for violations of such rules and regulations shall be clearly set forth therein and shall include provisions for other appropriate disciplinary action and, in the case of an organization which authorizes such conduct, rescission of permission for that



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organization to operate on campus property. Such penalties shall be in addition to any penalty pursuant to the Penal Law or any other Chapter to which a violator organization may be subject.

New York State Penal Law: Paragraph 120.16 Hazing in the First Degree

A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, s/he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury. Hazing in the first degree is a class A misdemeanor.

New York State Penal Law: Paragraph 120.17- Hazing in the Second Degree

A person is guilty of hazing in the second degree when, in the course of another person's initiation, or affiliation with any organization, s/he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person. Hazing in the second degree is a violation.

Charges of hazing are referred to and investigated by the Campus Dean of Students, Campus Safety, and/ or the local municipal law enforcement agency having legal jurisdiction.

DOES IT SUPERCEDE A POLICY/WHICH ONE: V-D-4 Anti-Hazing Policy, approved 4/81, 6/88 and 9/00

POLICY & GOVERNANCE COMMITTEE RECOMMENDED ACTION:

Policy Committee recommends the Board of Trustees approve the Board policy under the Committee Briefings, Policy & Governance Committee. This Policy supersedes all prior policies/procedures and practices related to Anti-Hazing Policy.

POLICY & GOVERNANCE COMMITTEE MEMBERS PRESENT: Trustee Len Lenihan, Trustee Kathleen Masiello, Executive Vice President for Administration and Finance Penelope Howard, Director of Registrar Paul Lamanna, Dean of Liberal Arts and Sciences Joanne Colmerauer, Dean of Liberal Arts and Sciences Jamie Smith; College Senate Representative Michael Delaney; Daniel Kaufmann, Employee Relations Manager; Heather Cruz, Dean of Students and Joan Castro, Assistant to the Provost and Executive Vice President

DATE OF BOARD APPROVAL: February 7, 2019

POLICY & GOVERNANCE COMMITTEE TEAM FOLLOW-UP:

Following Trustee approval this Board policy will be included in the SUNY Erie Community College Board of Trustees Policy Manual. See also the Code of Student Conduct. This Policy will be shared at orientations and onboarding for various student groups.



POLICY NAME: Anti-Hazing Policy - **Continued**

**INFORMATION/INPUT CONSIDERED DURING POLICY & GOVERNANCE
COMMITTEE DELIBERATIONS:**

New York State Anti-Hazing Law: Education Law S.6831-B or A. 11012B

New York State Penal Law: Paragraph 120.16 Hazing in the First Degree

New York State Penal Law: Paragraph 120.17 Hazing in the Second Degree

The Policy has been reviewed and discussed at the Policy and Governance Committee meeting of October 12, 2018, November 16, 2018, and December 14, 2018.