

# **SUNY Cobleskill Hazing Policy & Procedure**

## **Anti-Hazing Policy Statement**

Hazing is abusive, degrading, psychologically damaging, and may be life-threatening. It is unacceptable in all forms and has no place in the SUNY Cobleskill community. Student groups, organizations, and athletic teams are important contributors to a vibrant and positive campus life and are expected to act in accordance with the Student Code of Conduct and to treat others with respect. Hazing by individuals and student organizations is prohibited in any form both on campus and off campus.

## **Definitions**

### **1. Hazing**

Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

- Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury. The following are non-exhaustive examples of conduct that causes or creates such a risk:
  - Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
  - Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
  - Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
  - Causing, coercing, or otherwise inducing another person to perform sexual acts;
  - Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
  - Any activity against another person that includes a criminal violation of applicable local, [insert applicable state name] State, Tribal, or Federal law; and
  - Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

This definition is compliant with New York State law. Under New York State Penal Law, a person may be charged with hazing if, during another person's initiation into or affiliation with any organization, they intentionally or recklessly engage in conduct that creates a substantial risk of and/or causes physical injury to another person. A criminal charge of hazing may result in a violation or misdemeanor.

## **2. Student Organization**

An organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, group or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization/ group is established or recognized by the institution.

### **Reporting Incidents of Hazing**

SUNY Cobleskill encourages the reporting of incidents of hazing and takes every such report seriously. It will investigate all reports diligently and thoroughly in accordance with the Student Code of Conduct, NYS Penal Law and/or other applicable policies and procedures. Individuals found responsible for committing, soliciting, encouraging, directing, aiding, or recklessly permitting hazing to occur will be subject to disciplinary sanction that could include suspension or expulsion.

Any person may report hazing in person, by mail, by telephone or by electronic mail, using the contact information listed for the University Police, the office of Student Conduct, or by utilizing the online reporting forms

Office of Student Conduct 518-255-5229

University Police 518-255-5317

[https://cm.maxient.com/reportingform.php?SUNYCobleskill&layout\\_id=0](https://cm.maxient.com/reportingform.php?SUNYCobleskill&layout_id=0)

### **Private and Confidential Reporting**

SUNY Cobleskill will respect the privacy of reporters but cannot guarantee confidentiality for hazing reports. The information you provide to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and/or to comply with other appropriate SUNY Cobleskill policies and procedures, and any federal, state and/or local laws, rules and regulations. SUNY Cobleskill will limit the disclosure as much as possible, even if the institution determines that the request for confidentiality cannot be honored.

Offices and officials who are confidential resources will not report to law enforcement or university officials without a complainant/reporting party's permission, except for extreme circumstances, such as a health and/or safety emergency. SUNY Cobleskill offices that are considered confidential are as follows:

Health and Wellness Center- Medical and Counseling 518-255-5225

### **Amnesty Related to Hazing Reports**

SUNY Cobleskill recognizes that students are sometimes reluctant to report hazing activity, due to a fear of potential consequences for their own conduct. For this reason, the University has adopted an amnesty policy which states that a student who acts in good faith to report activity that may fall within the definition of hazing and/or a victim who cooperates fully as a witness in

the investigation and disciplinary process may not be subject to student conduct sanctions related to their own participation in hazing behavior as determined by the University in its sole discretion.

In the event amnesty is granted for self-reported behaviors, if evidence is presented that the student has continued to engage in hazing behaviors or has knowledge of hazing activity that was not reported, they may be held accountable for past behavior. Students who choose to report and request amnesty for their own conduct should know that amnesty does not apply to any criminal or civil action that may be taken by any law enforcement agencies, including University Police.

### **Investigation Process**

After a report is received, SUNY Cobleskill will review the submission and determine the next appropriate actions. If a report is criminal in nature, University Police and/or local law enforcement will be contacted. The Office of Student Conduct will also conduct its own investigation to prevent a recurrence of the alleged hazing and to determine if there are potential violations of the Student Code of Conduct and/or any other applicable processes depending upon the nature of the complaint.

### **Retaliation**

No person may intimidate, threaten, coerce or discriminate against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Hazing Policy and Procedure. Complaints alleging retaliation may be filed with the Office of Student Conduct and/or Human Resources. Any reports of retaliation involving an employee covered by a Collective Bargaining Agreement will be addressed through the appropriate processes.

### **Hazing – Individual and Organizational**

An individual student or group of students that intentionally, knowingly, or recklessly causes or creates an unreasonable risk of harm to another student as a requirement for initiation into, affiliation with, or continued membership of a recognized or unrecognized student organization/group, regardless of whether a student willingly participates.

In the case of students participating in a student organization unrecognized by the campus that contains two or more members that are students enrolled at the campus, such individual students may be subject to a charge or charges of hazing on an individual basis.