

## **Policy Prohibiting Hazing**

The College of Westchester strictly prohibits hazing, including within its student groups, as expressly with federal and state law. The College defines hazing as the 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 substantial risk of physical or psychological harm to one or more persons, above the reasonable risk encountered in the course of participation in the organization.

See both federal and state definitions of hazing at the conclusion of this policy.

For the purposes of this policy, a student organization is defined as “an organization at a The College (such as a club, society, association, or Student Government Association) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.” Recognized student organizations are formally registered and approved by The College.

### Violations

Any alleged violation of the Policy Prohibiting Hazing by a student or student group will be investigated and adjudicated under the *Disciplinary Grievance Procedures for Conduct Violations*. Alleged violations of this Policy by employees will be referred to Human Resources for investigation and adjudication. Nonaffiliates allegedly involved in violating this Policy will be referred to Campus Security.

### Campus Hazing Transparency Report

Any findings of violations of this policy by a student or recognized student organization will be published in a Campus Hazing Transparency Report and made available on the CW website. This report will adhere to all standards as required by the federal Clery Act and the federal Stop Campus Hazing Act.

### Reporting an incident of hazing

Campus community members may report an alleged act of hazing to the Director of Campus Security, Charles Boklan, at 914-831-0409 or [CBoklan@cw.edu](mailto:CBoklan@cw.edu) or to the Vice President of Student Services and Retention, Maria Gangi, at 914-831-0350 or [MGangi@cw.edu](mailto:MGangi@cw.edu).

### Prevention and Training

CW provides hazing prevention education to all students through informative visits to the first year seminar course, Transformative Learning, and through the required completion of a subsequent online training. Incoming students enrolled in Transformative Learning receive and review a handout with information about hazing, including what it is and how to

report it to college officials. All incoming students are required to complete an online training program through Vector that covers sexual assault prevention, crime and misconduct prevention and bystander intervention.

### Legal Definitions

New York State defines hazing as follows:

#### *§ 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, he intentionally or recklessly engages in conduct, including, but not limited to, making physical contact with or requiring physical activity of such other person, 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.

#### *§ 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, he intentionally or recklessly engages in conduct, including, but not limited to, making physical contact with or requiring physical activity of such other person, which creates a substantial risk of physical injury to such other person or a third person.

Hazing in the second degree is a violation.

The federal Clery Act defines hazing as the 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 including—
  - 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 local, 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.