

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 at SUNY Westchester Community College. 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, New York 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.

NOTE: 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, band, 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 is established or recognized by the institution.

REPORTING INCIDENTS OF HAZING

SUNY Westchester Community College 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 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 Director of Student Rights & Responsibilities:

Jessica Puerta
Interim Director of Student Rights & Responsibilities
914-606-6228
Jessica.puerta@sunywcc.edu

or by utilizing the online [Student Conduct Incident Report](#) form.

PRIVATE AND CONFIDENTIAL REPORTING

SUNY Westchester Community College 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 Westchester Community College policies and procedures, and any federal, state and/or local laws, rules and regulations. SUNY Westchester Community College 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 College officials without a complainant/reporting party's permission, except for extreme circumstances, such as a health and/or safety emergency. SUNY Westchester Community College offices that are considered confidential are as follows:

- Licensed Mental Health Counselors in the Department of Mental Health & Counseling Services
- Licensed Nurses in the Office of Health Services

AMNESTY RELATED TO HAZING REPORTS

SUNY Westchester Community College 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 College 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 and other behavior including related to alcohol and/or drug violations, as determined by the College 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 College Police.

INVESTIGATION PROCESS

After a report is received, SUNY Westchester Community College will quickly review the submission and determine the next appropriate actions.

After a report is received, the College will work quickly to review the submission. Generally, upon receiving a report of an incident involving hazing, the Director of Student Rights & Responsibilities will:

- consult with the Director of Student Involvement, the Director of Athletics or other appropriate college officials to determine if a student organization will be suspended pending the outcome of the investigation and will determine if any interim administrative actions will be imposed on any individuals per the Student Code of Conduct.
- contact the Reporting Individual as soon as is reasonably practicable to notify them of receipt of the report and to review any support measures that may be available to them
- notify the Director of Security and request a member of the Security Department be assigned to investigate.

The assigned Investigator will contact the Reporting Individual who will be invited to be interviewed as soon as is reasonably practicable.

If the assigned Investigator determines that the incident may potentially fall under the category of crime, the Westchester County Police Department will be contacted immediately for further investigation.

If the assigned Investigator determines that after the investigation finishes, that a violation of this or any other college policy is alleged by a student, the matter will be referred to the Director of Student Rights & Responsibilities for possible adjudication through the Student Code of Conduct. The assigned Investigator will provide the Director of Student Rights & Responsibilities with a copy of their investigative report.

If the assigned Investigator determines that after the investigation finishes, that a violation of this or any other college policy is alleged by an employee, the matter will be referred to the Director of Human Resources.

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 PREVENTION AND AWARENESS PROGRAMS POLICY

The College will inform all incoming students about information related to institutional policies against hazing. All student club officers and varsity athletes will undergo training as part of their on-boarding each year that provides them information related to institutional policies against hazing and offers them primary prevention strategies intended to stop hazing before it occurs, which may include skill building for bystander intervention, information on ethical leadership, and the promotion of strategies for building group cohesion without hazing.