

# **Union College Hazing Policy & Procedure**

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### **Anti-Hazing Policy Statement**

Hazing is abusive, degrading, psychologically damaging, and may be life-threatening. In accordance with the federal Stop Campus Hazing Act and New York State law, Union College has zero tolerance for any and all forms of hazing. Students, student groups, organizations, and athletic teams are important contributors to a vibrant and positive campus life and are expected to act in accordance with Union College's Student Handbook (including without limitation the Student Code of Conduct) and other applicable policies and procedures, and to treat others with respect. Hazing by any individuals, student groups, student organizations and/or athletic teams is prohibited in any form both on campus and off campus. The College takes an active role in prevention and awareness programs regarding Hazing, which are outlined below.

### **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 recruitment, new member education practices, an initiation into, an affiliation with, or the maintenance of membership in, a student organization (whether or not officially recognized by the College); and
- Causes or creates a risk, above the reasonable and inherent risk encountered in the course of participation in the College 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 may constitute hazing:
  - 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;
  - Endangering the physical health of an individual or causing mental distress to an individual through, for example, humiliating, intimidating, or demeaning treatment;
  - Degrading or humiliating games or activities;

- o Any activity against another person that includes a criminal violation of applicable local, New York State, Tribal, or Federal law; and
- o 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.

Under the 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. In addition, offenders may be charged with other criminal offenses depending on the nature of the acts constituting hazing (including but not limited to assault and/or harassment offenses), which may constitute felonies.

## **2. Student Organization**

An organization, whether or not officially recognized/sponsored by the College (such as a club, society, association, intercollegiate athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the College.

### **Reporting Incidents of Hazing**

Union College encourages the reporting of incidents of hazing and takes every such report seriously. Employees receiving such reports must share them with a College Official (Office of Community Standards, Office of Title IX, Campus Safety, Human Resources) who is responsible for determining whether the alleged behavior must additionally be reported to law enforcement authorities. The College will investigate all reports diligently and thoroughly in accordance with the Student Handbook (including without limitation the Student Code of Conduct) and/or other applicable policies and procedures.

Any person may report hazing in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Office of Community Standards, Office of Title IX, or Campus Safety or by utilizing the online reporting forms:

- Office of Community Standards
  - o 518-388-5555
- Office of Title IX
  - o 518-388-5555
- Campus Safety
  - o 518-388-6381
- Hazing Report form
  - o [https://cm.maxient.com/reportingform.php?UnionCollege&layout\\_id=2](https://cm.maxient.com/reportingform.php?UnionCollege&layout_id=2)

Allegations of hazing, including anonymous allegations, may be reported 24 hours a day through the anonymous report form accessible above, and also on the Fraternity and Sorority Life, Athletics, Dean of Students, Community Standards, Title IX, or Campus Safety websites. Union College students and employees are encouraged to notify appropriate College officials of any perceived instance of hazing as soon as feasible.

Please note that although the College works to investigate all reports, including anonymous reports, the nature of anonymous reports makes investigation, determination, and remediation more difficult, and sometimes even impossible. As a result, reporting parties are encouraged to provide their name and contact information.

### **Private and Confidential Reporting**

Union 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, to address imminent risks to health or safety, and/or to comply with other appropriate Union College policies and procedures, and any federal, state and/or local laws, rules and regulations. Union College will limit the disclosure as much as possible, even if the College 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. Union College offices that are considered confidential are as follows:

- Wicker Wellness Center (Health Center and the Eppler-Wolff Center)
  - 518-388-6120

The College maintains a Campus Hazing Transparency Report that summarizes findings concerning any student organization that is found to have committed a hazing violation within the meaning of College policy. This Report can be found on Campus Safety's Clery Website (<https://www.union.edu/campus-safety/clery-act>) and will be updated no less than twice a year and will be maintained for a period of five calendar years from the date of publication for each update/incident.

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

Union 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 for situations when a student who acts in good faith to report activity that may fall within the definition of hazing and/or a hazing victim who cooperates fully as a witness in the investigation. Although the College has adopted an amnesty policy, the reporting individual and/or witnesses may still be subject to a disciplinary process. Their engagement, as listed above, may be considered as a mitigating factor in any disciplinary proceeding.

This amnesty does not apply to organization violations or sanctions. In addition, the College has adopted an alcohol/drug amnesty policy, which can be found in the Student Handbook.

In the event amnesty is granted for self-reported behaviors, if information 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, including behavior for which amnesty was previously provided. 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 or private individuals (i.e., victims of their families).

### **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/or corresponding provisions of the Student Handbook. Complaints alleging retaliation may be filed with the Office of Community Standards and/or the Director of Equal Opportunity and Title IX Coordinator.

### **Investigation Process**

After a report is received, Union College will quickly review the submission and determine the next appropriate actions. If a report is criminal in nature, Campus Safety and/or local law enforcement may be contacted and a separate investigation may be conducted by the appropriate authorities in accordance with local, New York State, and/or federal laws. Union College 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 Handbook (including without limitation the Student Code of Conduct) and/or any other applicable policies depending upon the nature of the complaint.

The Office of Community Standards, or their designee, will conduct the investigation following the processes outlined in the Student Handbook. Investigations may additionally be referred to the Office of Title IX, if allegations include any alleged violations under the Title IX or Gender Based Misconduct policies. The College may also work with any national organizations, governing bodies, and/or departments/offices that may have oversight of the students and/or organizations involved.

Any Union College student or employee identified as a potential witness must cooperate fully in the course of the investigation or disposition of possible violations of this Policy and/or the Student Handbook (including without limitation the Student Code of Conduct). Cooperation includes, but is not limited to, meeting or communicating with Campus Safety, the Associate Director of Residential Education of Greek Leadership, the Office of Student Activities, Deans, or other College officials as requested, and providing truthful and accurate information.

The adjudication process of hazing allegations will be consistent with the adjudication process located within the Student Handbook.

Individuals found responsible for committing, soliciting, encouraging, directing, aiding, or recklessly permitting hazing to occur will be subject to the judicial process, and may face sanctions up to and including suspension or expulsion.

Student Organizations found responsible for violations of this Policy should be prepared for organizational sanctions in accordance with our procedures. Depending upon the nature and severity of the violation, sanctions may include, but are not limited to: educational programming, being placed on probation, suspension, expulsion, loss of member recruitment privileges, loss of the privilege to host social events with alcohol, removal from chapter house and/or loss of housing privileges, and/or deactivation. The full range of possible sanctions for clubs, organizations and groups violating this Policy can be found in the section of the Student Handbook that describes the conduct process. In addition, an organization recognized or established by the College that is found responsible for a hazing violation will be included in the Campus Hazing Transparency Report.

Notwithstanding the foregoing, the College's intercollegiate athletic teams are operated by, and exist at the discretion of, the College and its Athletic Department. In the event of suspected violations of this Policy by an intercollegiate athletic team, the Director of Athletics, in consultation with the Vice President for Student Affairs or their designee, may impose consequences on the team as an entity without necessity of formal disciplinary proceedings under the Student Handbook. Such action does not preclude disciplinary action against individual team members under the Student Handbook (including without limitation the Code of Student Conduct).

### **Hazing Prevention and Awareness Programs Policy**

Hazing is an unproductive and hazardous custom that is incongruous with organizational and community values. It has no place in College life, either on or off campus. No policy can address, in specific fashion, all possible situations which may take place. Students and organizations are expected to conduct themselves and their activities in a spirit of social responsibility and respect for others.

To educate students and promote community standards of behavior, Union College has organized several prevention strategies and modules. All incoming students (First Year, International, and Transfer) are required to complete an online module that discusses hazing. It outlines the definitions, provides examples, and walks students through ways to address hazing concerns, as well as reporting this conduct. This training is provided by United Educators.

In addition, Union College provides in-person and online training for populations on campus that have a high impact on a large group of students. This includes, but not limited to, Athletics, Fraternity and Sorority Life, Residence Education and Housing student staff, Club and Organization Leaders, and Orientation Leaders. These presentations serve as an additional way to help students identify concerning behaviors and feel confident enough to report those when observed. The curriculum of our current Hazing Prevention Presentations are adapted from StopHazing. In addition, the Office of Title IX provides yearly trainings to all campus populations surrounding sexual misconduct, prevention and bystander intervention, and will include forms of hazing.