

HAZING, PREVENTION AND AWARENESS POLICY

Sponsor: Student Success

Contact: Executive Director, University Student Services

Category: Academic and Student Affairs

Number:

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Background Information: This policy was created to comply with the Stop Campus Hazing Act (Public Law 118–173), passed in December 2024. In accordance with the Stop Campus Hazing Act, SUNY Empire is also required to maintain and publicly post a Campus Hazing Transparency Report and include hazing statistics in its Annual Security Report. These materials will be accessible on SUNY Empire’s website for a minimum of five years.

Purpose

The purpose of this policy is to affirm Empire State University (SUNY Empire)’s commitment to maintaining a safe, respectful, and inclusive learning environment by prohibiting hazing in all forms. This policy is necessary to ensure compliance with federal and state law, including the Stop Campus Hazing Act (Public Law 118–173) and New York State Penal Law, and supports SUNY Empire’s legal, regulatory, and social obligations to protect student welfare and promote accountability. This policy also supports compliance with the Clery Act by requiring publication of hazing statistics and a Campus Hazing Transparency Report updated biannually.

This policy outlines the institution’s procedures for reporting, investigating, and responding to hazing incidents.

This policy applies to all SUNY Empire students, faculty, staff, recognized and unrecognized student organizations, and visitors, and aims to ensure that all members of the SUNY Empire community are empowered to contribute to a culture free from hazing.

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Definitions

1. **"Bystander"** shall mean a person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of rules or policies of SUNY Empire.
2. **"Complainant"** means any person or persons who have made a disciplinary complaint against a student and may or may not be the victim.

3. **"Faculty"** or **"Faculty Member"** means any employee of SUNY Empire engaged in teaching, learning, advising, or evaluation of learning.
4. **"Sanctions"** are educational and/or punitive measures assigned to a student after they have been found responsible for violating SUNY Empire policy.
5. **"Staff"** or **"Staff Member"** means any person employed by SUNY Empire.
6. **"Student"** means all persons enrolled in a program or engaged in credit or noncredit learning and/or assessment activities at SUNY Empire, both full-time and part-time, or those individuals who were students at the time of an alleged violation of the Student Conduct Policy, whether on SUNY Empire premises or remotely. Persons who are not officially enrolled for a particular term but who have a continuing relationship as a student with SUNY Empire are considered "students." A continuing relationship exists for a student who has begun a first term of enrollment, has not graduated, withdrawn or been expelled, and is within the 3-years of the end date of the last term of enrollment.
7. **"SUNY Empire"** means Empire State University.

Policy Statements

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 Empire community. Student groups and organizations are important contributors to a vibrant and positive campus life and are expected to act in accordance with the Student Conduct Policy and to treat others with respect. Hazing by individuals and student organizations is prohibited in any form both on campus and off campus.

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, 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.

Hazing may occur regardless of the recognition status of the student organization or whether the individual being hazed consents.

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.

Student Organization

An organization at an institution of higher education (such as a club, society, association, 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 Empire maintains a publicly accessible Campus Hazing Transparency Report, which is updated twice per year and retained for no less than five years. The report includes hazing violations and incidents investigated and adjudicated by the institution.

SUNY Empire 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 Conduct Policy. 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 University Student Services, or by utilizing the online reporting forms:

SUNY Empire, University Student Services
Executive Director, University Student Services
680 Westfall Rd, Rochester, NY 14624
UniversityStudentServices@sunyempire.edu
585-224-3208

Incident Reporting Form (https://cm.maxient.com/reportingform.php?SUNYEmpire&layout_id=0)

Hazing statistics and policy information are available on the SUNY Empire hazing webpage for public access and review.

Private and Confidential Reporting

SUNY Empire 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 Empire policies and procedures, and any federal, state and/or local laws, rules and regulations. SUNY Empire will limit the disclosure as much as possible, even if the institution determines that the request for confidentiality cannot be honored.

SUNY Empire's confidential resources, such as TELUS Health Student Support, will not report information to SUNY Empire officials or law

enforcement without the individual's permission, except in cases involving imminent health or safety risks or when otherwise required by law. SUNY Empire partners with the following confidential resource:

TELUS Health Student Support
1-866-743-7732

<https://studentsupport.telushealth.com/ca/home> (<https://studentsupport.telushealth.com/ca/home/>)

Amnesty Related to Hazing Reports

SUNY Empire recognizes that students are sometimes reluctant to report hazing activity, due to a fear of potential consequences for their own conduct. For this reason, SUNY Empire 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 SUNY Empire 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.

Investigation Process

After a report is received, SUNY Empire will review the submission and determine the next appropriate actions. If a report is criminal in nature, the Office of Safety and Security and/or local law enforcement will be contacted as appropriate. SUNY Empire 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 Conduct Policy and/or any other applicable processes depending upon the nature of the complaint.

Retaliation

Retaliation includes intimidation, threats, coercion, or discrimination 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 or hearing under this policy. Complaints alleging retaliation may be filed with University Student Services 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

SUNY Empire's prevention, education, and awareness programs related to hazing utilize best practices and are designed to reach students, staff, and faculty, including: 1) information related to institutional policies against hazing; and 2) 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. Faculty, staff, and students are provided training annually.

Applicable Legislation and Regulations

- Stop Campus Hazing Act (Public Law 118-173) (<https://www.congress.gov/118/plaws/publ173/PLAW-118publ173.pdf>)

Related References, Policies, Procedures, Forms and Appendices

- Incident Reporting Form (https://cm.maxient.com/reportingform.php?SUNYEmpire&layout_id=0)
- Office of Safety and Security (<https://www.sunyempire.edu/about/safety-security/>)
- Student Conduct Policy (<https://www.sunyempire.edu/policies/student-conduct-policy.html>)
- Student Conduct System (Procedure) (<https://www.sunyempire.edu/policies/student-conduct-system-procedure.html>)