



HAZING POLICY

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Issuing Offices: Title IX Office

Questions? Contact the Title IX Coordinator at titleix@sfc.edu

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PURPOSE

The Policy is to prohibit hazing in all forms, ensure compliance with the Stop Campus Hazing Act (SCHA) Amendments to the Clery Act and related laws, and promote a safe and respectful campus environment. Hazing undermines the integrity of student life, endangers individuals, and is inconsistent with the mission, vision, and values of the College.

SCOPE AND APPLICABILITY

This Policy applies to students, faculty, staff, administrators, trustees, recognized organizations/groups and established groups, and third parties on or off-campus (including online), including visitors, alumni, guests, and the agents, representatives, and employees of suppliers and vendors of the College community.

The College's prohibition on hazing extends to all aspects of its educational programs and activities, including, but not limited to, admissions, employment, academics, and student services.

This Policy was written to follow the requirements of all applicable federal and state laws. If this Policy is inconsistent with those laws, or the laws change before it has been updated, state and federal law supersede this Policy. If any provision of this Policy is found to be invalid, illegal, unconstitutional, or unenforceable, that finding shall not affect or undermine the validity of any other provision.

The College reserves the right to update these policies as needed. We'll always communicate changes to our community in a timely manner.

RESPONSIBLE AUTHORITY

The Title IX Office at the College maintains responsibility for the oversite of this Policy and the Title IX Coordinator is considered the Responsible Authority.

Obligations in this Policy assigned to a particular title may be designated as appropriate by the College, including to external professionals.

WHAT IS PROHIBITED BY THIS POLICY

Hazing: The term 'hazing', for purposes of reporting statistics on hazing incidents is defined as 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—

1. is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
2. 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 including—

- a. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
- b. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- c. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- d. causing, coercing, or otherwise inducing another person to perform sexual acts;
- e. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- f. any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
- g. 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.

Retaliation: Retaliation is any materially adverse action taken against an individual because they were involved in the disclosure, reporting, investigation, or resolution of a report of Hazing as defined above. Retaliation includes threats, intimidation, harassment, coercion, discrimination, violence, or any other conduct against any person by the College, a student, or an employee or other person authorized by the College to provide aid, benefit, or service under the College's education program or activity, for the purpose of interfering with any right or privilege secured by this Policy or by law, including the Stop Campus Hazing Act. Adverse action does not include perceived or petty slights, or trivial annoyances. The prohibition against retaliation applies to any individuals who participate (or refuse to participate) in any manner in an investigation, proceeding, or hearing. Retaliation may occur even where there is a finding of "not responsible" under this Policy. Good faith actions lawfully pursued in response to a report of Hazing are not retaliation.

DEFINITION OF TERMS

1. *Complainant:* an individual (or group of individuals) who is/are alleged to have been subjected to conduct that could constitute a College Policy violation.
2. *Interim Measures:* Interim measures are temporary administrative directives that are intended to ensure the safety of the College and prevent a situation from escalating while the allegations are being investigated. When the alleged actions of a student, student group, student organization or any other Respondent threaten the good order or safety of the College, interim measures may be put into place.
3. *Party/parties:* Referring to complainant, respondent, or both/all complainant and respondent.
4. *Report and or Complaint:* information provided about possible misconduct and/or violations of College Policy.
5. *Respondent:* an individual (or group of individuals) who has/have been reported to be the perpetrator of conduct that constitutes a College Policy violation.
6. *Outcome:* a formal sanction imposed on the Respondent in response to Policy violation(s).
7. *Student Organization:* an organization at the College (such as a club, society, association, or student government) in which two or more of the members are students enrolled at the College, whether or not the organization is established or recognized by the College.

- a. Established: a group created by the College, which is in existence but does not have to register as a student organization.
- b. Recognized: an organization that consists of a number of persons who are associated with each other (two or more of whom are enrolled students) and have registered with the College as a student organization.
- c. Unrecognized: a club or organization that consists of a number of persons who are associated with each other (two or more of whom are enrolled students) and have not registered, have not had their registration approved, or have had their registration or recognition removed.

DISCLOSURES/REPORTING

Any person may disclose hazing to the College via the Title IX Coordinator in the following ways:

- a. Mail: 179 Livingston Street, Brooklyn, NY 11201-9902
- b. Telephone: 650-383-4753 ext. 158
- c. Electronic mail: titleix@sfc.edu
- d. In person: email the Title IX Coordinator to setup an appointment.
- e. Online: <https://www.casetracker.app/00016/report-incident>
- f. Any other means that results in the Responsible Authority receiving the person's verbal or written disclosure

The disclosing person does not need to be the harmed person and/or a Complainant. All disclosures will be reviewed by the College to identify if the conduct falls within this Policy or other related policies.

An individual may pursue a College response procedure independently of any off-campus processes, such as reporting to law enforcement or pursuing other non-campus-based civil reporting options. The College reserves the right to initiate this process even if law enforcement has declined to do so.

CONFIDENTIAL DISCLOSURE OPTIONS

If you are the victim of hazing and do not want to pursue action within the College or the criminal justice system, you may still want to consider making a confidential report. With your permission, a designee of St. Francis College can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution but do not include the identity or identifying information about victims of crimes. The Title IX Coordinator using the Federal Bureau of Investigation (FBI) Uniform Crime Reporting Definitions will classify reports.

PRIVACY

The University will not disclose the identity of any individual involved in a disclosure, report, or resolution process under this Policy, consistent with and except as may be permitted by the Family Education Rights and Privacy Act (FERPA) statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Personal identifying information is not included in the College's Annual Security Report, Timely Warnings or the Campus Hazing Transparency Report.

FALSE REPORTS

The College will not tolerate intentional false reporting of incidents. It is a violation of College policies to make an intentionally false report of any Policy violation, and it may also violate state criminal statutes and civil defamation laws. A person will be referred to the appropriate College process if found to have intentionally made a false report or knowingly submitted falsified materials.

INTERIM MEASURES AND ACTIVITY RESTRICTIONS

If the Title IX Coordinator, or designee, determines that the operations of the Organization and/or the presence of the Respondent creates a clear and substantial risk to persons or property at the College, they may issue an interim suspension or activity restriction at any point of the process from when a complaint is filed to when the case is resolved. Ordinarily, a case involving an interim suspension will be expedited to resolution as quickly as possible.

The Title IX Coordinator, or designee, may also restrict or modify the activities (i.e., access to buildings, participation in activities) of the Respondent at any point from when a report is received to when the matter is resolved. Activity restrictions also may be kept in place after an outcome is determined.

Interim suspensions and activity restrictions are operative immediately upon receipt of the notice by the Respondent.

A Complainant always has the right to seek a restraining order or similar no-contact or protective order from the police. Contact Campus Security for assistance in obtaining protective orders from the police or contact the New York Police Department directly. The College will enforce all protective and restraining orders regardless of who issues them. Enforcement of these orders will begin upon notification and receipt of documentation of their existence. Should any party wish to cooperate with local law enforcement in a criminal investigation, they may do so under the guidance of the appropriate legal authority(ies) without fear of penalty by the College for violating the no-contact directive issued by the College.

PROCEDURES

Reporting and Assessment

Upon receipt of a report or complaint, the Title IX Coordinator will conduct a preliminary assessment to determine if the alleged behavior, if true, constitutes Hazing or Retaliation as prohibited by this Policy. If it does, the Title IX Coordinator will determine, in consultation with the Office of the General Counsel, which office or individual will have primary responsibility to investigate and adjudicate the matter. As part of this preliminary assessment, the [Responsible Authority] will evaluate whether any interim measures and/or activity restrictions are immediately necessary and take action as warranted by the circumstances. The Title IX Coordinator will also coordinate with Campus Security to determine whether a Timely Warning is necessary.

In certain cases, conduct by an individual or group respondent may violate this Policy in addition to other policies. In those cases, as part of the preliminary assessment, the Title IX Coordinator, in coordination with the Office of General Counsel, will select which office or individual has primary responsibility over a matter and how that individual will engage with other responsible offices. Examples include a hazing incident that also includes sexual and interpersonal violence or harassment, which may involve Title IX, The Cord policies, and violations of policies on privacy and access to confidential material. Matters may be consolidated and investigated/adjudicated together at the discretion of the College.

When the Title IX Coordinator determines that the alleged behavior, if true, does not constitute Hazing or Retaliation as prohibited by this Policy, the Title IX Coordinator will refer the report to the appropriate office or individual to address the report and notify the reporter of said referral.

Investigation and Adjudication

An investigation process related to the reported hazing will be completed by the appropriate College office(s) in accordance with their applicable procedures. Based upon the involved parties and the nature of the allegations, these offices may include, but are not limited to, Student Conduct, the Office of Human Resources, and Campus Security. Procedures for students are outlined in The Cord and related documents and procedures for employees are outlined in the Employee Handbook.

Sanctions and Other Consequences

Hazing is a serious offense and, therefore, is subject to the full range of sanctions detailed below. In addition, other educational activities (e.g., community service, participating in an anti-hazing workshop, etc.) or opportunities may be required as conditions of the sanction. An individual, organization, or group may be subject to other outcomes in accordance with the applicable outside constituents, academic processes, group in which the student is involved, or their governing bodies. The College has the right to act regardless of the actions of a governing body.

Sanctions for Students

When a student is found to have violated this Policy, potential sanctions pursuant to processes established in The Cord include, but are not limited to, the following:

- Formal reprimand,

- Disciplinary probation,
- Suspension for a period of time,
- Dismissal, and
- Other appropriate educational opportunities or sanctions.

Notice will be provided to the student if a sanction becomes part of their academic transcript (and will be noted in the student's final outcome/determination letter).

Sanctions for Student Organizations

When a student organization is found to have violated this Policy, potential sanctions pursuant to processes established in The Cord include, but are not limited to the following:

- Formal reprimand
- Disciplinary probation,
- Revocation of privilege(s) such as hosting social events, recruitment, new member activities, etc.;
- Suspension for a period of time;
- Permanent loss of recognition by the College; and
- Other appropriate educational opportunities or sanctions.

Sanctions for Employees

When an employee is found to have violated this Policy, corrective actions may be taken pursuant to the Employee Handbook or Collective Bargaining Agreement.

Consequences for Alumni, Consultants, and Other Volunteers

When alumni, consultants or volunteers violate this Policy, the College reserves the right to take appropriate action to address the individual's conduct and that of the organization or group.

LAW ENFORCEMENT

Violations of this Policy may be referred to the appropriate law enforcement, or other external authorities as appropriate, for additional action and/or prosecution. The College has the right to act regardless of the actions of law enforcement or other external authority. Decisions around culpability and any outcomes or sanctions from law enforcement or other external authority are independent of any decisions made by the College under this Policy.

Appeals

Appeals are available to individuals and organizations of hazing findings in accordance with the standards of the process that governs each case.

Failure to Comply with Outcomes

Individuals that fail to comply and/or complete the assigned outcomes may be charged and an additional process will be held. A hold may be placed on the party's record until the incomplete sanction and/or failure to comply case is resolved.

In circumstances where a student organization fails to comply with outcomes, the organization may be charged and an additional process will be held. A hold may be placed on the organizational record until the incomplete sanction and/or failure to comply case is resolved. The hold may impact ability to receive funding, housing status, or participation in College recognized events.

FEDERAL AND STATE HAZING DEFINITIONS

Hazing (per Federal law)

The term 'hazing', for purposes of reporting statistics on hazing incidents is defined as 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—

1. is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
2. 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—
 - a. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - b. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - c. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - d. causing, coercing, or otherwise inducing another person to perform sexual acts;
 - e. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - f. any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
 - g. 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 per New York State law

§ 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 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 which creates a substantial risk of physical injury to such other person or a third person. Hazing in the second degree is a violation.

CAMPUS HAZING TRANSPARENCY REPORTS ("CHTR")

The College will publish in a prominent location on its public website information with respect to hazing incidents where there has been a finding of responsibility against registered or established groups/organizations. This report will be updated at least twice per year if there are additional findings of responsibility to document.

The CHTR will be publicly available on the College webpage. It will include, at a minimum:

- The period from when the Report was last published and ending on the date it is being republished;
- Each incident involving a student organization for which a finding of responsibility is issued relating to a hazing violation, including;
- Name of the organization;
- Dates of incidents
- Information and description of the violation

The CHTR may include any additional information determined by the College as necessary or as required by law. The CHTR will not include Personally Identifiable Information in the report.

CLERY ACT AND ANNUAL SECURITY REPORT

The Clery Act is a federal crime and incident disclosure law. It requires, among other things, that the College report the number of incidents of certain crimes that occur within particular geographic locations (Clery geography). Clery geography includes buildings and property that are part of the College's campus; the College's noncampus buildings and property; and public property within or immediately adjacent to and accessible from the campus. Beginning with the 2026 Annual Security Report, the College must also include hazing incidents reported to have occurred within Clery geography.

The first calendar year of reported hazing statistics is 2025, as published in the 2026 Annual Security Report. The Clery Act also requires the College to issue a warning to the community in certain circumstances.

In the statistical disclosures and warnings to the community, the College will ensure that a Complainant's name and other identifying information are not disclosed. The Responsible Authority will refer information to the appropriate official, when appropriate, for a determination about Clery-related actions, such as disclosing crime statistics or sending campus notifications.

TRAINING AND PREVENTION

In alignment with the prevention and awareness program requirements of the Stop Campus Hazing Act, the College maintains a commitment to not only address incidents of hazing that occur, but also to educate our campus community about hazing and healthy alternatives to prevent this type of harm.

Our training program is provided to students and employees annually.

The College will provide ongoing education campaigns, including workshops, speaker events, and social media campaigns throughout the academic year to reinforce this Policy and encourage a culture of safety.

CAMPUS RESOURCES

- Office of Student Conduct: 718-489-2507
- Campus Security: (718) 489-2100 or (718) 489-2105
- Title IX/Compliance Office: titleix@sfc.edu
- SFC Counseling Center 179 Livingston Street, Room 7205 Brooklyn, New York 11201, (718) 489-5335 or (718) 489-2035.
- 84th Precinct, NYPD (718) 875-6850

MAINTENANCE OF FILES AND RECORDS

The files of individuals (or any student organization) found responsible for violation of the College Policy on hazing will normally be retained as a record in the Office with jurisdiction over the matter and the Title IX Office. Records maintained to comply with the Clery Act (including the Stop Campus Hazing Act) will be retained for the time period consistent with Clery Act records.