

## **Hilbert College** ***Anti-Hazing Policy***

### **Introduction**

Hilbert College (“Hilbert”) is dedicated to promoting a safe living and learning campus environment for its students, faculty, staff and visitors. As such, Hilbert will not tolerate hazing activities by any students, groups, faculty, staff, athletic teams or student organizations. The Jeanne Clery Campus Safety Act requires institutions of higher education, such as Hilbert, to collect and report crimes and hazing that occur on campus or within certain other areas surrounding campus as more fully described in this policy. This Policy is intended to comply with the federal Stop Campus Hazing Act (“SCHA”), which was enacted on December 23, 2024 and aims to increase transparency and accountability regarding hazing incidents on college campuses, ultimately promoting a safer environment for students.

### **Definitions**

Pursuant to the SCHA, hazing is an intentional, knowing, or reckless act committed by a person, whether individually or in concert with other persons, against a student, regardless of that student’s willingness to participate, that was committed in connection with an initiation into, an affiliation with, or the maintenance of membership in a student organization; and causes or is likely to contribute to a substantial risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical training necessary for participation in an athletic team), of physical injury 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.

A student organization is any organization at Hilbert (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 Hilbert, whether or not the organization is established or recognized by Hilbert.

### **Location of Hazing Incidents and Reporting Requirements**

Any incident meeting the definition of hazing in this Policy should be reported following the procedure described below. Hazing that occurs at any of the following locations is subject to reporting under this Policy: anywhere on campus, in on-campus student housing, on public property within the boundaries of the campus, on public property immediately adjacent to the campus, and in

non-campus buildings and property owned or controlled by the organization that are used for educational purposes and frequently used by students, but not a part of the core campus, or those owned or controlled by a student organization officially recognized by the institution.

Hilbert encourages all members of the College community who believe that they have witnessed, experienced, or are aware of conduct that constitutes Hazing in violation of this policy to report the violation to Campus Safety at 716.479.1233; the Director of Residence Life & Community Standards at [reslife@hilbert.edu](mailto:reslife@hilbert.edu); or [Anonymous Hazing Incident Reporting Form](#).

Depending on the nature of the incident, reports to other offices may be required, such as offices that deal with Clery Act hate crimes, Title VI or Title IX violations, or VAWA crimes.

### **Hilbert's Response to Reports of Hazing**

Hazing is considered a violation of the Student Code of Conduct ("Code") and reported allegations of violation of this Policy will be investigated and managed under the Code's policies and procedures. Investigations of alleged Hazing will be conducted by the Dean of Students or designee. Hazing incidents may be adjudicated by the Dean of Students or designee or by the Student Conduct Board. Students found responsible for Hazing may submit an appeal to the Appeal Board. Hazing cases may generally be resolved within 60 business days.

Violations of this policy may result in penalties including suspension or expulsion from Hilbert or other appropriate disciplinary action from the College, as deemed appropriate. In the case where a group or organization authorizes such conduct, rescission of permission for that organization to operate on campus property may occur. Hazing may also constitute a violation of state law and alleged offenders may face external prosecution, depending on the severity of the conduct.

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

Hilbert will engage and provide a variety of anti-hazing prevention programming. The following individuals must attend hazing prevention and awareness programs:

- Campus Security Authorities
- Officers of recognized student organizations
- Officers of student government
- Residence Hall Staff
- Campus Safety officers

The hazing prevention and awareness programs at Hilbert will:

- be research-based and evidence-informed;
- include primary prevention strategies intended to stop hazing before hazing occurs, which include strategies to:
  - overcome barriers to reporting hazing;
  - address the bystander effect of preventing and responding to hazing;
  - develop a campus-wide effort for faculty, staff and students to identify warning signs of hazing, understand how to report hazing, and how to take steps to respond to and prevent hazing;

- all resident assistants, athletes, student government leaders, and presidents of student clubs and organizations will receive training addressing the aforementioned goals;
- all faculty and staff will receive online training;
- a passive programming campaign will be launched each semester.

### **Hilbert Reporting Requirements**

Incidents that are reported to the College and meet the definition of hazing in this Policy will be included in Hilbert's Annual Safety Report that is released every fall.

In addition, as required by the SCHA, Hilbert will publish on its website, no less than twice annually, a Campus Hazing Transparency Report, which will summarize findings concerning any student organization established or recognized by Hilbert that is found to be in violation of the College's prohibition against hazing.

### **New York State Anti-Hazing Law**

In addition to the federal Stop Campus Hazing Act, (20 U.S.C. §1092(f)), which addresses hazing, the laws of the State of New York also define hazing and provide for civil and criminal sanctions for individuals who engage in hazing. Hazing is punishable under New York State law 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, [they] intentionally or recklessly engage 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, [they] intentionally or recklessly engage 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.

### **Retaliation**

Any retaliation or threats to retaliate against any Hilbert College student, faculty or staff member who reports, is a witness to, or cooperates with the investigation of hazing is strictly prohibited.