



Anti-Hazing Policy

Application

New York Law School ("NYLS") students and student organizations

Purpose

In accordance with the provisions of the federal "Stop Campus Hazing Act," the purpose of this Policy is to protect NYLS students from being hazed by NYLS student organizations to which they belong or may choose to belong, by (a) defining hazing and the student organizations subject to this policy, and (b) describing how students may report incidents of hazing and the process by which NYLS will investigate such reports.

Definitions

"Hazing" is defined in Section 485(f)(6)(A) of the Higher Education Act of 1965 (20 U.S.C. § 1092(f)(6)(A)) ("HEA"), as follows:

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—

- (I) is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- (II) 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.

Under New York law, "[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." N.Y. Penal Law, § 120.16.

"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." N.Y. Penal Law, § 120.17.

Hazing in the first and second degrees are, respectively, a class A misdemeanor and a violation.

"Student Organization," as defined in the HEA, means 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.

For purposes of this policy, "Student Organization" includes, but is not limited to, all student organizations recognized by the NYLS Office of Student Life, and Co-Curricular Organizations such as the NYLS Dispute Resolution Team, Family Law Quarterly, Global Students Association, Law Review, Moot Court Association, and Trial Competition Team.

Policy

Student Organizations and their members are prohibited from engaging in acts of hazing, as defined under federal or state law, against members or prospective members of such organizations.

Incidents of hazing may be reported to the Office of Student Life or by using this [form](#). Such reports may be made anonymously, and anyone making a report of hazing shall be protected from retaliation for having done so.

Reports of hazing shall be investigated promptly by the Vice President for Security and Community Affairs in collaboration with the Chief Compliance Officer and other NYLS administrators as may be required.

To prevent hazing and raise awareness about the dangers of hazing, NYLS will conduct anti-hazing training for incoming students as part of First Year Student Orientation, and for upper-level students, with an emphasis on student organization leaders, at least once during each academic year. The Office of Student Life personnel, Campus Security Authorities and student organization faculty advisors also will receive training on the importance of hazing awareness and prevention. All training will be grounded in best practices developed by experts in the field of hazing prevention. The Law School will also conduct periodic surveys of the NYLS Community to ascertain the prevalence, if any, of hazing on campus.

Violation of this policy may result in discipline of individual students in accordance with the NYLS Student Code of Conduct and Academic Responsibility, and suspension or revocation of a student organization's Constitution or privileges. NYLS may also refer students in violation of this policy for criminal prosecution should the facts warrant.

This policy shall be deemed incorporated into the Constitution of each NYLS Student Organization.