

## SUNY CORTLAND FRATERNITY/SORORITY POLICIES AND PROCEDURES

### I. Introduction

Fraternity and sorority chapters/colonies will be held responsible for positive contributions to the primary educational mission of the College, and therefore are under an obligation to encourage the most complete personal development of their members intellectually, civically, and socially. In order to achieve these objectives, the following guidelines will be followed:

1. The objectives and activities of the fraternity and sorority colony/chapter are to be in accord with the general aims and purposes of SUNY Cortland.
2. Principles that are recognized by the College as legitimate purposes for fraternities and sororities include the promotion of scholarship and academic achievement, promotion of campus and community services, and the promotion of brotherhood and sisterhood.
3. Conduct and behavior of fraternity and sorority members should reflect the above stated purposes for fraternal activities both on and off campus, and be consistent with the SUNY Cortland **Code of Student Conduct and Related Policies** (linked off the College's Student Conduct webpage).
4. Activities of fraternities and sororities recognized by SUNY Cortland (involving campus facilities and/or equipment with regard to fundraisers and other activities) will comply with all University Board of Trustees, SUNY Cortland College Council and campus administrative policies and procedures.
5. For the purposes of local governance of fraternities and sororities, these policies are applicable to all such organizations regardless of their affiliation, or lack thereof, with any National organization.
6. After appropriate review and consultation, the College reserves the right to impose educational and/or disciplinary sanctions on any fraternity or sorority for violation of these or other Federal, State, State University or College rules and regulations. Final review/appeal of any decision(s) made rests with the Vice President for Student Affairs. If applicable, the National organization will be contacted and informed of the situation.
7. Any changes in chapter/colony rules, regulations, and procedures that are inconsistent with or found to be a departure from the current SUNY Cortland Fraternity/Sorority Policies and Procedures will require a meeting with the College's Associate Director of Campus Activities and Greek Affairs (Greek Advisor) to discuss and resolve the matter. If an agreement is not reached, the matter will be referred to the College's Director of Core Union and Campus Activities and the College's Vice President for Student Affairs (or his/her designee).
8. Each chapter/colony will be expected to exercise fiscal responsibility and financial integrity. That being said, the College does not have any responsibility in this area as each group oversees their own finances.
9. Each colony/chapter will be expected to make good decisions in regards to any and all of its activities. Risk management must be a priority. All members should be held accountable for their actions.

## II. Procedures

**Duration of Affiliation and Recognition:** Recognition for fraternities and sororities expanding to our campus will be provisional for one full year. After successfully completing a year of provisional recognition, recognition duration will be indefinite and subject to annual review. The Vice President for Student Affairs reserves the right to revoke College recognition if the fraternity or sorority fails to comply with any of the guidelines set herein.

1. **By the first Monday in September, all fraternities and/or sororities must file with the Campus Activities and Corey Union Office, the items listed below. Electronic submissions are acceptable as appropriate.**

- a. A completed SUNY Cortland Fraternity/Sorority Continued Recognition Application (linked off College's Fraternities and Sororities webpage)
- b. Signed Certification of Compliance with Anti-Hazing Laws and Regulations (form included in application)
- c. Signed Certification of Compliance with SUNY Board of Trustees Resolution 76-292 (form included in application)
- d. A copy of the current constitution and bylaws, policies and regulations of the national organization and SUNY Cortland chapter and/or colony.
- e. A complete membership listing (name, address, phone number, preferred email address) of any Alumni Board working with the chapter and/or colony (form included in application).
- f. **A letter of sponsorship from the National organization certifying the chapter/colony affiliation.** This letter must be on fraternal letterhead, is typically short and is used to verify that the organization is still recognized by their National as well as their current status therein (good, probation, suspension, etc.). This letter must be generated at the regional/district level or above.
- g. A complete listing of current chapter/colony members and officers. Please note that a listing of **ALL** officers (not just those serving on the Executive Board) as well as their contact information is required to be turned in. (See specifics given on application.)

2. Within 14 days of receipt of all materials, the Associate Director of Campus Activities and Greek Affairs (Greek Advisor) will examine the submitted documents. If necessary, a meeting with chapter/colony representatives will be held to discuss any changes that may need to be made to insure compliance.

- a. In cases where continued certification or recognition is not granted, the fraternity/sorority will be notified in writing of the decision. Reasons for the non-certification will be specified and an appropriate time table presented in which to resolve the matter.
- b. In cases where recognition cannot be granted by the Campus Activities and Corey Union Office, the Vice President for Student Affairs, or his/her designee, will serve as the appellate administrator. Groups wishing to appeal the decision must do so, in writing to the Vice President for Student Affairs, within 10 days of the date the Campus Activities and Corey Union issues the decision. The Vice President for Student Affairs, or his/her designee, will review all pertinent documents and respond, in writing, within 30 days.

3. Two additional reports will be required to be completed and submitted by each chapter/colony.

- a. **Midyear Report** . . . To be turned in to the Greek Advisor no later than the first Monday after the first full week of classes in the Spring semester. This report clarifies Spring chapter membership and may be found linked off the College's Fraternities and Sororities webpage. It is requested that this report be electronically submitted. Information requested includes the following:
  - I. Members who left the College in December of the current academic year
  - II. Members who returned to the College after having been unassociated with the College for at least one semester (also included are those returning from studying abroad)
  - III. Members who intend to graduate in either May or August of the current year
  - IV. Members to be termed inactive for the Spring semester (and reason why)
  - V. Names and contact information for **all** Spring chapter/colony officers
  
- b. **Annual Report** . . . To be turned in to the Greek Advisor the Monday before the last day of classes in the Spring semester. This report may be found linked off the College's Fraternities and Sororities webpage. It is requested that this report be electronically submitted. The completed report will contain information pertaining to the following areas:
  - I. Academic and scholarship activities
  - II. Individual and/or organizational accomplishments and/or recognitions
  - III. Community service
  - IV. Philanthropy
  - V. Financial management
  - VI. Leadership development and new member education
  - VII. Social activities
  - VIII. Alumni/ae and public relations
  - IX. Relationship with the College

4. All fraternities and sororities (and all Greek Councils) are required to have all of their executive board members attend a mandatory *It's On Us: Sexual Violence Prevention Information for Student Leaders* session. Most chapters will have additional officers required to attend and will be notified of the specifics by the Greek Advisor. This training is being required of all student groups. **Any group not attending will not be allowed to hold events or reserve rooms until their leaders have been trained.** Training lasts no more than 1 hour. (Mandated by SUNY Central/NY State beginning in Fall 2015)

### III. Establishing Fraternities and Sororities at SUNY Cortland

**Effective May 1, 1988, only nationally affiliated fraternities/sororities may colonize at SUNY Cortland.** Nu Sigma Chi has been grandfathered in unless there comes a time when there are no initiated undergraduate sisters remaining.

1. Undergraduate students interested in bringing a new fraternity/sorority to campus must meet with the Associate Director of Campus Activities and Greek Affairs to discuss the appropriate steps to take to investigate this possibility. Expansion is typically student driven but there are no guarantees that expansion will be viable at any given point in time. The College and the National must both be interested in working together towards a successful and sustainable expansion of the College's fraternal community.

2. National fraternity and/or sorority representatives wishing to investigate or facilitate colonization at SUNY Cortland must contact/meet with the College's Associate Director of Campus Activities and Greek Affairs to discuss the College's expansion/colonization procedures.
3. Campus recognition and authorization for chartering of national organizations requires SUNY Cortland approval through the Campus Activities and Corey Union Office and the Vice President for Student Affairs. Should the expansion include a member of the National Panhellenic Conference, approval must also come from the SUNY Cortland Panhellenic Council.
4. Fraternities and sororities granted permission to establish undergraduate or graduate chapters of their organization at SUNY Cortland shall do so in full compliance with the College's Affirmative Action Program, specifically to membership eligibility of students and towards the rights of interested students to participate in the sponsored activities of such chapters/colonies.
5. All chapters/colonies affiliated with National organizations on the SUNY Cortland campus shall file with the Campus Activities and Corey Union Office, a certification that the constitution, by-laws, policies, regulations and practices of the organization do not restrict membership on the basis of race, creed, national origin, sex, age, or disability, except as may be specifically exempted by Federal or State laws/regulations. Further, this certification will specify that the active membership of the local chapter has authority independent to any National organization to determine membership in the local chapter/colony.
  - a. Similar parameters are in place for Nu Sigma Chi and their Alumnae Board of Directors.
6. All fraternities and sororities must become active members of the appropriate Greek council (Panhellenic, Interfraternity, and/or Greek Multicultural) and abide by the governing documents of that council. Chapter/colony presidents must also attend monthly Greek Presidents Council meetings. Presidents who have class during that time are excused AND are required to send their vice president to attend in their place. It is expected that the vice president will meet with the president within 24 hours of the Greek Presidents Council meeting to review what took place and transfer any necessary paperwork.

#### **IV. Governing Bodies**

National and local Greek organizations are required to establish and maintain governing boards with authority to act with regard to governance of the chapter/colony. Failure to maintain a governing board will result in the loss of College recognition.

SUNY Cortland recognizes that a tripartite relationship in the responsibility for the orderly procedures and policies governing fraternities and sororities also calls on the College to recognize certain rights and privileges of the governing boards, therefore:

1. The College recognizes the national/local governing boards of the fraternities and sororities as the official legally consulted authority and will work with these boards for the achievement of a successful colony and/or chapter.
2. It is the desire of the College to foster and encourage a close working relationship between the national/local governing board and its chapter/colony and to preserve the authority for decisions within this relationship. The College stands ready to be of assistance should the need arise. Cooperation achieved within these principles between SUNY Cortland and the

fraternity/sorority will guarantee the autonomy of the fraternity/sorority chapter/colony and its official governing agency without infringement in their internal affairs by any campus organization or governing agency of the College. Failure to be guided by these guidelines, however, will result in referral to the Campus Activities and Corey Union Office, Vice President for Student Affairs, and/or College President, and may result in the loss of autonomy privileges until the matter is properly adjudicated.

## **V. Non-Discrimination**

All SUNY Cortland chapters/colonies shall file with the Campus Activities and Corey Union Office, a certification that the constitution, bylaws, policies, regulations and practices of the organization do not restrict membership on the basis of race, creed, national origin, sex, age, or disability, except as may be specifically exempted by Federal or State laws/regulations. Further, this certification will specify that the active membership of the local chapter/colony has authority independent to any National organization to determine membership in the local chapter. For most groups, this information will be contained within their National's governing documents.

## **VI. Use of College Facilities**

Recognition shall not be construed as conferring any right to use campus facilities that is not in accordance with existing College policies and practices. Facility use and reservations must comply with existing College policies. All facility/room requests are to be filed with the Associate Director of Campus Activities and Greek Affairs (Greek Advisor).

## **VII. Advisors**

Each recognized fraternity and sorority is required to have at least one chapter/colony specific advisor affiliated with the College. The name(s) and contact information for all chapter/colony advisors must be filed with the College's Greek Advisor. If an advisor steps down during the academic year, the chapter/colony will be given no more than three weeks to find someone to take their place. If no one is found during that time, recognition of the chapter/colony will be suspended until a new advisor has been found.

SUNY Cortland chapter advisor(s):

- a. Will function as a program consultant, resource, and provider of continuity. They can also assist members in the interpretation of College policy.
- b. Shall attend functions and/or meetings, do their best to assure that appropriate records are maintained by the chapter/colony, and otherwise serve in an organizational advisory capacity.
- c. Will serve as liaison between the chapter/colony and the College and must maintain consistent and honest communication with the Associate Director for Campus Activities and Greek Affairs.
- d. Must be a full time employee of the College and cannot be a SUNY Cortland student. This person(s) is NOT intended to be merely a name on a form. The advisor should be interacting with at least some of the group's undergraduate officers on a regular basis (no less than once every 3 weeks).

1. SUNY Cortland chapter/colony advisors are usually required to attend any chapter/colony activity taking place on campus outside of the regular business hours of a particular location. Approved activities that are deemed 'high risk' will also need to have an advisor present.
  - a. Examples include late night events in Corey Union, weekend events in Moffett Gymnasium, competitive fundraisers taking place in the Stadium Complex, Lusk Field House, and/or Park Center, etc.
  - b. Chapter meetings are exempt from this requirement although groups may choose and are encouraged to invite their advisor(s) to at least portions of these meetings.

### **VIII. Housing**

The fraternity or sorority chapter/colony understands and acknowledges that it is responsible for maintaining sanitary, fire and safety standards in their official or unofficial chapter house(s) in accordance with approved City of Cortland Codes. Primary responsibility rests with the property owner/landlord in all cases. Abide by the terms of any leases that may be in effect.

### **IX. Greek Councils**

1. A council comprised of representatives from each social fraternity and other North-American Interfraternity Conference (NIC) member organizations shall be known as the Interfraternity Council (IFC).
2. A council comprised of representatives from each social sorority affiliated with the National Panhellenic Conference shall be known as the Panhellenic Council (Panhel). Said Council is charged with acting in the best interests of the College's Panhellenic Association.
  - a. Nu Sigma Chi is also required to participate on this Council.
3. A council comprised of representatives from each cultural fraternity and sorority shall be known as the Greek Multicultural Council (GMC).

### **X. Recruitment**

1. The recruitment officers for all recognized chapters and/or colonies are required to meet with the Associate Director for Campus Activities and Greek Affairs prior to holding recruitment events. For all but the cultural Greeks, there will be two meetings required. The first meeting will review relevant College policies and procedures and will be attended by the appropriate officers of multiple organizations. The second meeting will be used to review/discuss chapter/colony specific planned recruitment events.
  - a. It is the responsibility of each chapter's recruitment officers to contact the Greek Advisor to set up this second meeting. They should provide her with their availability when this contact is made. It is strongly suggested that this contact is made prior to the first College policies and procedural meeting.
2. A listing of all individuals that are being considered for membership in a chapter/colony must be submitted to the Greek Advisor prior to an offer of membership being made. This list is to be submitted in alphabetical order by last name.
  - a. The Greek Advisor will check on everyone's academic eligibility and notify the appropriate recruitment officers of the results.
  - b. Names to be submitted at least 24 hours prior to any intended College bid signing.

- c. SUNY Cortland new member eligibility requirements:
    - i. Must be a currently registered full time SUNY Cortland student;
    - ii. Cannot be on either Academic Warning or Academic Probation;
    - iii. Cannot be a first semester first year student;
    - iv. Returning/continuing students must have successfully completed at least 12 credit hours at SUNY Cortland AND have at least a 2.0 cumulative G.P.A.;
      - 1. Keep in mind that the College honors higher organizational G.P.A.s
    - v. Incoming transfer students must have successfully completed at least 24 post-high school credit hours AND have at least a 2.50 cumulative G.P.A. Proof must be submitted to the Campus Activities Office
      - 1. Unofficial copies of transcripts from all colleges attended are acceptable as long as they show student name, college name, cumulative G.P.A. and number of completed credit hours
3. The Treasurer of each organization is required to submit the following items at the start of any semester during which the organization will be accepting new members:
- a. Total amount of money that it will cost each active brother/sister for that semester (or for the year if that is how the chapter/colony does their billing)
  - b. Total amount of money that it will cost each person joining that semester AND a detailed itemization of what that money will cover
    - i. Also needed: Deadline(s) by when money is due
  - c. The deadline for submission of this information is 1 week prior to any offers of membership being made.
4. The “new member educator(s)” for all recognized chapters and/or colonies are required to meet with the Associate Director for Campus Activities and Greek Affairs prior to the start of the new member education/intake/orientation process. For all groups there will be two meetings required. The first meeting will review relevant College policies and procedures and will be attended by the appropriate officers of multiple organizations. The second meeting will be used to review/discuss the intended chapter/colony specific new member education/intake/orientation program.
- a. It is the responsibility of each chapter’s “new member educators” to contact the Greek Advisor to set up this second meeting. They should provide her with their availability when this contact is made. It is strongly suggested that this contact is made prior to the first College policies and procedural meeting.
  - b. Officers should provide a copy of the intended program to the Greek Advisor at this second meeting. The program must include any planned interactions with the new members.
    - i. No changes can be made to an approved program without the approval of the Greek Advisor.
  - c. Any changes to the roster for each new class/line must be submitted to the Greek Advisor by the “New Member Educator” within 24 hours of said change taking place. For those groups that allow a new/line member 24 hours to consider changing their mind, the news is to be shared at the end of that 24 hours.

## **XI. New Membering/Intake Guidelines**

- 1. The academic eligibility of all potential new members must be verified by the Campus Activities Office before a bid for membership can be offered and/or accepted. The Associate Director for Campus Activities and Greek Affairs has agreed to honor the higher GPA

membership requirements that most fraternities/sororities require. Exceptions are never made for College requirements.

- a. Exceptions are very seldom made by a National organization in regards to a higher G.P.A requirement. Proof of an exception must be sent to the Greek Advisor on National letterhead and signed by a National officer operating on at least the regional/district/section level. The College would then honor the exception.
2. All eligible individuals accepting an offer of membership, a position on a line, must complete the appropriate College paperwork prior to starting any kind of new member program. For our cultural Greeks, each line must meet with the Greek Advisor before the new member/intake/orientation process can begin. Meeting lasts approximately 45 – 60 minutes.
  - a. Those joining other Greek organizations must attend a mandatory 'new member orientation' meeting with the Greek Advisor near the start of the new member education process. This meeting lasts approximately one hour.  
 Fall 2018: Thursday, September 27 at either 4:30 or 7 p.m.  
 Spring 2019: Thursday, February 28 at either 4:30 or 7 p.m.
3. All bids/offers of membership are to be signed in the presence of the Greek Advisor. New /associate/line members may withdraw from pledging/intake/orientation at any time.
4. The new member education/intake process shall end at least 1 month prior to the start of final exams at the end of each semester. This specific date will be given by the Greek Advisor at the start of each semester if not sooner. All new/associate/line members are to have been initiated/crossed by this date.  
 Fall 2018 – Thursday, November 8  
 Spring 2019 – Thursday, April 11
5. New/associate/line member activities may not interfere with classes, academic activities or requirements, and/or new/associate/line member work schedules.
6. Each new/associate/line member activity must be purposeful in keeping with the College's broad mission of education and human development.
  - a) To educate the new member in regards to the ideology, history and ceremonies of the fraternity or sorority.
  - b) To instruct new members on their purpose and responsibility to the fraternity or sorority, to the College and to the community.
  - c) To broaden the understanding between fraternity brothers/sorority sisters and the newest members and to promote a sense of unity between all members.
  - d) To carry out activities of campus and civic value.
  - e) To continue the tradition of fraternity and sorority membership as a matter of special pride and achievement.

**SOME guidelines for specific new/associate/line member activities for ALL groups to follow include:**

1. Library/Study Hours: Not required by the College and cannot be required by an organization unless ALL chapter/colony members participate to an equal level. The College reminds all groups to leave their members ample time to study.
2. Uniforms/Gear: Acceptable only after fully discussed with and approved by the College's Greek Advisor AND only as mandated by the Inter/National organization. Gear cannot



interfere with the academic institution or the student's ability to function therein. New members must be able to appropriately answer questions (if asked) about what the gear means. This applies to not only professors and administrators but also to friends and family.

3. Marching: Unacceptable unless included as part of a probate, step show, or new member presentation. Marching is defined as but is not limited to new/associate/line members linked arm in arm, stepping or stomping loudly in unison, dipping and/or chanting/singing.
4. Walking in Line: Unacceptable. Walking in line is defined as new/associate/line members walking one in front of each other in a line OR walking next to each other in a structured format and/or with linked arms. This also includes cutting corners and any other structured form of walking in formation.
5. Walking in Unison: Acceptable. New/associate/line members may walk together in unison as an accidental occurrence. This is best illustrated as when two (or more) friends fall into sync in/on the same stride. Chapters/colonies cannot mandate that their new/associate/line members intentionally walk in unison.
6. Mandating Social Probation: Unacceptable. Social probation is defined as, but is not limited to, (1) not being able to socialize and or speak with friends, family, professors, employers, etc.; (2) not being able to attend social events such as parties, programs, etc. that take place when a class/line member is not required to be at a new/line member activity.
7. Probate Shows: Acceptable if done according to each organization's Inter/National guidelines and the following conditions:
  - a. Only if there is no physical, mental and/or verbal abuse and/or harassment of anyone; Whether or not that person(s) is in attendance does not matter
  - b. Only with proper and timely notification to the College's Greek Advisor, along with the timely completion/submission of any necessary reservation forms.
8. Viewings: Unacceptable. However meetings with two or more organizations at which potential new members are present are acceptable. Viewings are defined as allowing members of other chapters or organizations to see, look at, or view potential new members. This is related to cross-pledging (see next item).
9. Cross Pledging: Unacceptable. Cross pledging is defined as allowing members from another fraternity and/or sorority to view, question, pledge, come into physical contact, etc. with potential new members from your organization.
10. Forced Servitude: Unacceptable to ask/require a new/associate/line member to clean an initiated/crossed member's room or vehicle, to run personal errands, or to perform other services or duties not normally and equally shared by initiated/crossed members.
11. Sleep Deprivation, Dietary Restrictions, Forced Calisthenics, etc.: Unacceptable. Items such as these and others (bathing, personal hygiene) fall under the broader heading of hazing. Calisthenics include any kind of exercising (push-ups, etc.).
12. Overnight Sleepovers: Unacceptable. Forbidden by majority of all National organizations. The blindfolding of new/associate/line members is also extremely limited, if not forbidden by most National organizations.
13. Time Limitations: During the week all programming that includes new/associate/line members must end no later than 10 pm. It is encouraged that programming end sooner as often as possible. It is not unusual to have programming end by 9 p.m. during the week.

On both Friday and Saturday, the latest possible ending time is 11 p.m. On the flip side, no activity involving a new/associate/line member can start before 9 a.m.

## **XII. Auxiliary Groups**

Auxiliary groups (i.e. little sisters, sweethearts, little brothers, etc.) are not recognized by the College and, as such, are not permitted the rights and privileges of College recognized student organizations. It should be noted that these groups are also not recognized by National organizations.

## **XIII Officer Requirements**

Chapter officers and all Greek council officers must be enrolled as students at SUNY Cortland while seeking and holding office. They must also meet the requirements of their specific organization and/or council as outlined in the respective governing documents.

SUNY Cortland is an Affirmative Action/Equal Opportunity Employer and Educator.

## **HAZING LAWS AND REGULATIONS**

Hazing and/or harassment of new/associate/line members is strictly prohibited as stipulated by New York State Law and the State University of New York Board of Trustees rules for the maintenance of public order. (See *SUNY Cortland Code of Student Rights and Responsibilities and Related Policies*). All chapters/colonies on the SUNY Cortland campus shall file with the Campus Activities and Corey Union Office a Certification of Compliance with Anti-Hazing Laws and Regulations.

## **SUNY CORTLAND HAZING POLICY**

### 1. General Philosophy Regarding Hazing:

The College believes that the participation in any organization includes acting responsibly towards members and future members of that organization. Responsible behaviors are those that show respect for the dignity and self-esteem of all persons. Practices that are physically, emotionally, psychologically, and spiritually damaging to others are not acceptable and will not be tolerated.

### 3. Student Organizations and Teams

Organizations covered under the New York State Law on hazing, State University of New York Policies and SUNY College at Cortland Policies include an intercollegiate athletic team, club sport team, fraternity, sorority, association, order, society, club, or service, social or similar group whose members are primarily students at the State University of New York College at Cortland.

### 4. Definition of Hazing

Hazing means any intentional, knowing or reckless act occurring on-campus or off-campus, by one person acting alone or with others, directed against a member of the College community that endangers the mental or physical health or safety of that person. Hazing is related

specifically to pledging, being initiated into, developing an affiliation with, holding office in, or maintaining membership in any organization or team whose members are or include students at the State University of New York College at Cortland. The term "hazing" includes but is not limited to:

- a) Any type of physical contact or brutality, such as whipping, beating, striking, branding, electronic shock, placing of a harmful substance on the body or similar activity.
- b) Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small place, calisthenics or other activities that subject the student to unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- c) Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance which subjects the student to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of the student.
- d) Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame or humiliation (such as verbal harassment), or adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered with SUNY College at Cortland, or that may reasonably be expected to cause a student to leave the organization or SUNY College at Cortland rather than submit to acts described within this hazing section.
- e) Any activity that induces, causes or requires the student to perform a duty or task which involves a violation of the penal code and/or the Code.

## 5. Offenses

A person commits an offense if the person:

- a) engages in hazing;
- b) solicits, encourages, directs, aids or attempts to aid another in engaging in hazing;
- c) intentionally, knowingly, or recklessly permits hazing to occur.

### **PENAL LAW**

New York State Law Chapter 86 Section 120.16 states that "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 or she intentionally or recklessly engages in conduct which creates a substantial risk of serious physical injury or death to such other person or a third person and thereby causes such serious injury or death to such person or to a third person." Hazing in the first degree is a Class D Felony.

New York State Law Chapter 86 Section 120.17 states that "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 or she 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 second degree is a Class E Felony.

New York State Law Chapter 86 Section 120.18 states that "a person is guilty of hazing in the third degree when, in the course of another person's initiation or affiliation with any organization, he or she 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 third degree is a Class A Misdemeanor.

## **RULES FOR THE MAINTENANCE OF PUBLIC ORDER**

The State University Board of Trustees rules for the maintenance of public order (State University Of New York Codes, Rules and Regulations Title 8 Education Laws, Volume B Section 535.3, September 30, 1980) states that “no person, either singly or in concert with others, shall take any action, create or participate in the creation of any situation which recklessly or intentionally endangers mental or physical health or which involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization.”

## **PENALTIES**

It is also stated that any organization which authorizes the prohibited conduct described in Subdivision (1) of Section 535.3 shall be subject to the rescission of permission to operate upon the campus or upon the property of the State-operated institution used for educational purposes. The penalty provided in this subdivision shall be in addition to any penalty to which an individual may be subject pursuant to this part. All fraternities and sororities are also subject to college disciplinary action on any hazing policy.

## **BYLAWS**

Section 6450 (1) of the Education Law requires that the provisions of this Part which prohibit reckless or intentional endangerment to health or forces consumption of liquor or drugs for the purpose of initiation into or affiliation with shall be deemed to be part of the bylaws of all organizations which operate upon the campus of any State-operated institution or upon the property of any State-operated institution used for educational purposes. The statute further requires that each such organization shall review these bylaws annually with individuals affiliated with the organizations.