

Berkeley College Anti-Hazing Policy

Purpose

Berkeley College (the "College") is committed to providing a learning environment that promotes mutual respect and civility and one that is free from hazing. In accordance with applicable state laws, hazing, as defined below, is strictly prohibited at Berkeley College. Any individual and/or College sanctioned organization found in violation of this Policy will be subject to discipline. Criminal referrals and sanctions may also be imposed pursuant to applicable New Jersey (https://www.njleg.state.nj.us/Bills/2020/PL21/208_.PDF) and New York (N.Y. Penal Law § 120.16 and § 120.17) anti-hazing laws.

Scope

This Policy applies to any hazing, on or off campus, by any College student, College-sanctioned club, organization, group, or team (a "Berkeley Organization"), or any individual associated with a Berkeley Organization.

Definitions

"**Hazing**" means conduct (as described below) in connection with an initiation of applicants to, or members of, a Berkeley Organization.

"**Berkeley Organization**" means an association, corporation, order, society, club, team or service, social or similar group, whose members are primarily students or alumni of the organization or the College; or a national or international organization with which such a group is affiliated.

"**Student**" means an individual who attends or has applied to attend or has been admitted to Berkeley College.

Prohibited Conduct

Hazing

1. A person is guilty of **hazing**, if, in connection with initiation of applicants to or members of a Berkeley Organization, the person knowingly or recklessly:

(a) causes, coerces, or otherwise induces another person to commit an act that violates federal or State criminal law;

(b) causes, coerces, or otherwise induces another person to consume any food, liquid, alcoholic liquid, drug or other substance which subjects the person to a risk of emotional or physical harm or is otherwise deleterious to the person's health;

(c) subjects another person to abuse, mistreatment, harassment, or degradation of a physical nature, including, but not limited to, whipping, beating, branding, excessive calisthenics, or exposure to the elements;

(d) subjects another person to abuse, mistreatment, harassment, or degradation of a mental or emotional nature, including, but not limited to, activity adversely affecting the mental or emotional health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct that could result in extreme embarrassment;

(e) subjects another person to abuse, mistreatment, harassment, or degradation of a sexual nature; or

(f) subjects another person to any other activity that creates a reasonable likelihood of bodily injury to the person.

2. Consent by a person being hazed is not a defense to a hazing charge.

Reporting and Investigating Hazing Violations

If you are aware of, or have a reasonable basis to suspect, a violation of this Policy, you should promptly report the alleged violation to the College Student Development and Campus Life Department. Allegations will be investigated pursuant to the Student Code of Conduct, as well as this Policy. If the hazing violation involves a College associate, you should report the matter to the College Human Resources Department, and Human Resources shall jointly investigate the allegation with Student Development and Campus Life.

Discipline for Hazing Violations

Sanctions imposed by the institution following a hazing investigation may include, but are not limited to, oral or written warning/probation, mandatory counseling, education and training requirements, no-contact orders, changes to academic or working arrangements (if applicable), revocation of campus privileges, suspension (length of which, and reinstatement conditions, shall depend upon the nature and severity of the offense) and dismissal/termination. A Berkeley Organization which violates this Policy may be subject to disciplinary sanctions including deactivation or rescission of permission for the Organization to operate at the College.

Violations of this Policy may also be referred to law enforcement authorities for further investigation and/or charges. Discipline imposed in connection with violations of this

Policy shall be in addition to any civil or criminal sanctions that may be imposed separately by law enforcement authorities.

Bi-Annual Hazing Report

The College shall publish a bi-annual report of all violations of this Policy which are reported to the College. The report will be updated and made publicly available on the College's website on the Public Safety webpage by January 1 and August 1 of each year. If no hazing violations are reported to the College, the College shall not post a report.