



<b>Policy Name:</b>	Policy on Hazing and Reckless Endangerment		
<b>Associated Form(s):</b>	N/A	<b>Policy Number:</b>	2025-1
<b>Reviewed:</b>	Non-Academic Policy Committee	<b>Approved:</b>	February 12, 2025
<b>Approval Authority:</b>	President <i>Susan UParish</i>	<b>Adopted:</b>	February 20, 2025
<b>Responsible Executive(s):</b>	Vice President for Student Affairs	<b>Revised:</b>	August 28, 2023
<b>Responsible Office(s):</b>	Office of Student Affairs	<b>Contact(s):</b>	Assistant Dean of Student Affairs

## **I. Policy Statement**

Mercy University is committed to eliminating and preventing hazing behavior and/or inappropriate team, group, club or student organization bonding or initiation activities which humiliate, demean or devalue the worth of another individual. The University supports only those activities which are constructive, educational, and inspirational and that contribute to the intellectual and personal development and well-being of students. Therefore, any hazing, initiation or team, group, club or organization bonding activities that subject student- athletes or others to mental or physical discomfort, embarrassment, harassment or ridicule or other conduct which recklessly endangers or threatens the health, safety, or welfare of any person on University-owned or operated property or at University-sponsored activities.

The University defines hazing and inappropriate team, group, club or organization initiation or bonding activities as any action, whether physical, mental, emotional or psychological, which subjects another person, voluntarily or involuntarily, to anything that has the intended or unintended effect of abusing, mistreating, degrading, humiliating, harassing or intimidating the person, or which may in any fashion compromise the inherent dignity of the person, for the purpose of association with or induction to a particular team, group, club or organization. In addition, any requirements by any member of a team, group, club or organization which compels another member or prospective member to participate in any activity which is against University policy or state/federal law will be defined as hazing. All campus clubs and organizations shall incorporate this policy into their club constitutions or bylaws.

## **II. Prohibited Activities**

Hazing is prohibited under the New York State Penal Law Section 120.16, which states: 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, 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.

Specific actions and activities which are prohibited under this Policy include, but are not limited to, the following:

- Any type of initiation or other activity where there is an expectation of individuals joining a particular team, group, club or organization to participate in behavior designed to humiliate, degrade or abuse them regardless of the person's willingness to participate.
- Forcing, requiring or pressuring an individual to consume alcohol or any other substance.
- Forcing, requiring or pressuring an individual to shave any part of the body, including hair on the head, or draw on someone's body with markers or the like.

- Forcing, requiring or pressuring an individual to participate in any activity which is illegal, publicly indecent, contrary to genuine morals and/or beliefs, e.g., public profanity, indecent or lewd conduct or sexual gestures in public.
- Forcing, requiring or pressuring an individual to perform tasks of servitude including errands and cleaning.
- Forcing, requiring or pressuring an individual to be exposed to the elements.
- Forcing, requiring or pressuring eating anything an individual would otherwise refuse to eat.
- Any activity or action that creates a risk to the health, safety or property of the University or any member of its community, or that places another person in reasonable fear of bodily harm through the use of threatening words or conduct.
- Forcing or requiring calisthenics, such as push-ups, sit-ups and running, when these activities are not part of the normal and standard conditioning requirements for a particular athletic or physical training activity, taking place within the appropriate practice, training or competition venues and supervised by qualified professionals.
- Assigning or endorsing pranks such as stealing or harassment of another group or individual.

Assigning any activity that induces, causes or requires another person to perform a duty or task that involves a criminal violation of local, state or federal law.

- Awakening or disturbing individuals during normal sleeping hours, or inducing sleep deprivation.
- Expecting or pressuring individuals to participate in an activity in which the full membership is not willing to participate.
- Physical abuse of any kind, including but not limited to whipping, beating, striking, or electronic shocking.
- Forcing, encouraging or pressuring someone to wear in public apparel which is conspicuous and not what the student feels comfortable wearing in public.
- Engaging in public stunts and acts that cause embarrassment, annoyance, alarm or pose a danger to the individual or anyone else.
- Forcing, requiring or pressuring an individual to be excluded from social contact.
- Nudity at any time in a public space and/or in front of others or forced reading or viewing of pornographic material.
- Paddling, beating or otherwise permitting a member to hit other members.

- Having substances, including but not limited to, oil, eggs, mud, paint, cream and honey thrown at, poured on or otherwise applied to the body of a member of the team.
- Harassment or morally degrading/humiliating games or other activity that makes a member the object of amusement, ridicule or intimidation.
- Subjecting a member to cruel and unusual psychological conditions.

### **III. Applicability**

This University policy is applicable to and governs the conduct of students, faculty, staff, contractors and visitors on Mercy University campuses and property. Administrators, coaches, team captains, student-athletes, student leaders, club/organization officers and all students shall be expected to accept responsibility and act with integrity and civility regarding this issue. This includes not only refraining from engaging in activities such as those described above, but also reporting any questionable activities to advisors, coaches or administrators.

### **IV. Reporting**

Mercy students are encouraged to report incidents of, whether the incidents occurred on or off campus. Reports can be made to the Office of the Dean of Student Affairs, the Office of Campus Safety or through the online Student Complaint [form](#). Reports can also be made anonymously with the University's Whistleblower Hotline, 1-888-OK-Mercy or [online](#).

If any Mercy employee learns about an incident of hazing, they are required to report it to their manager or supervisor, or directly with the Office of the Dean of Student Affairs or the Office of Campus Safety.

### **V. Disciplinary Action**

Mercy has a zero-tolerance policy when it comes to hazing. Violations of this Policy may result in disciplinary action in accordance with the relevant University policy, procedures, handbooks, or collective bargaining agreements and may subject individuals to sanctions up to and including expulsion for students or termination for employees from the University, as well as criminal or civil referral for prosecution.

### **VI. Education and Prevention Programs**

The University shall adopt a comprehensive student onboarding and ongoing education campaign to educate students about hazing. During the student onboarding process, all new first-year, transfer students, student athletes and student groups and organizations, must receive training on this Policy, including ways to report incidents of hazing. Relevant employees, such as athletic department staff, may also be required to receive training. The University must publish this Policy along with statistics relating to incidents of hazing on its website.