

# Hazing Prevention Policy

It is the purpose of The College of New Jersey to provide a campus environment that encourages academic accomplishment, personal growth, and a spirit of understanding and cooperation. An important part of maintaining such an environment is the commitment to protect the health and safety of every member of the campus community.

**Hazing in any form is prohibited at The College of New Jersey.** TCNJ is committed to providing a safe learning environment that supports the dignity of all College community members. Hazing is a violation of state law and is strictly prohibited by TCNJ both on and off campus. **Violation of this policy may result in both disciplinary action and criminal charges.**

Students who are members of or are interested in becoming members of fraternities or sororities at TCNJ are required to read and agree to abide by the The College of New Jersey's Hazing Policy. Hazing includes organization, engaging in, facilitating, or promoting any conduct that places or may place another person in danger of bodily injury (the consent of those hazed will not be accepted as a defense).

The College of New Jersey defines [hazing](#) as:

- i. Any action taken, or situation created that negligently, intentionally, or recklessly subjects any person to the risk of bodily harm, physical discomfort, harassment, emotional or mental degradation, abuse, or interferes with academic activities; or causes or encourages any person to commit an act that would be a violation of law or College regulations for the purpose of initiating, promoting, fostering, or confirming any form of affiliation with a student group or organization. This provision applies to all students regardless of College or Student Government recognition of the student group or organization.
- ii. Observation of any hazing activity as described above by a student without reporting the incident to College authorities.
- iii. Aiding or assisting another to engage in any hazing activity as described above.
- iv. The expressed or implied consent of a person is not a defense to any hazing activity described above.

## New Jersey State Laws

Hazing is a crime punishable by the State of New Jersey.

### § 2C:40-3. Hazing

- a) A person is guilty of hazing, if, in connection with initiation of applicants to or members of a student or fraternal organization, whose membership is primarily students or alumni or an institution of higher education, the person knowingly or recklessly:
  1. Causes, coerces, or otherwise induces another person to commit an act that violated federal or State criminal law;
  2. 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;
  3. 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;
  4. 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;
  5. Subjects another person to abuse, mistreatment, harassment, or degradation of a sexual nature; or
  6. Subjects another person to any other activity that creates a reasonable likelihood of bodily injury to the person.
- b) Hazing is a crime of the third degree if an actor commits an act prohibited in subsection a) of this section which results in death or serious bodily injury to another person and is a crime of the fourth degree if the actor commits an act prohibited in subsection a) of this section which results in bodily injury to another person. Otherwise, hazing is a disorderly persons offense.
- c) In addition to any other sanctions or penalties that may be imposed, a student or fraternal organization described in subsection a) of this section, or an institution of higher education, that knowingly or recklessly promotes or facilitates a person to commit an act of hazing prohibited in this section shall be subject to a fine of not less than \$1,000 or more than \$5,000 for an initial violation so subsection a) of this section, and a fine of not less than \$5,000 or more than \$15,000 for each subsequent violation.
- d)
  1. A person, student or fraternal organization, or institution of higher education, and another person acting in concert with the person, organization, or institution, shall be immune from prosecution under this section if the person, or an employee, officer, or other agent acting on behalf of the organization or institution, as the case may be:
    - a) Called 9-1-1, or otherwise contacted campus security, police, or emergency services, and reported that a person was in need of

medical assistance due to an act of hazing as described in this section;

- b) The caller provided the caller's name and, if applicable, the name of the person acting in concert with the caller to the 9-1-1 operator or other recipient of the emergency contact;
- c) The caller was the first to make the 9-1-1 report or other emergency report; and
- d) The caller and, if applicable, the person acting in concert with the caller remained on the scene with the person in need of medical assistance until assistance arrived and cooperated with the emergency services on the scene.

- 2. In addition to any other applicable immunity or limitation on civil liability, a law enforcement officer or other official empowered to act as an officer for the arrest of offenders against the law of this State, or a prosecutor, who, acting in good faith, arrested or charged a person who is thereafter determined to be entitled to immunity from prosecution under this subsection shall not be subject to any civil liability for the wrongful arrest or charge.

§ 2C:40-4. Consent not available as defense to hazing

- a) Notwithstanding any other provision of Title 2C of the New Jersey Statutes to the contrary, consent shall not be available as a defense to a prosecution under section 1 of P.L.1980, c.169 (2C:40-3).
- b) It shall not be an affirmative defense to a prosecution under section 1 of P.L.1980, c.169 (C.C:40-3) that the conduct in which the actor engaged was sanctioned or approved by a student or fraternal organization or an institution of higher education.

### Examples of Hazing

*\*Please note, this is list is not an exclusive list of all forms of hazing.*

- Forcing, requiring, or encouraging the drinking of alcohol or any other substance;
- Calisthenics (e.g., push-ups, jogging, runs, etc.);
- Treeing's (e.g., tying someone up and throwing food or other substances on them);
- Physical assault/harassment, i.e. branding, blindfolding or hand-tying, beating, paddling in any form;
- Line-ups (e.g., yelling at or harassing people in a formation);
- Requiring a regimented public demeanor, i.e. marching, military-like demeanor, limiting use of automatic doors, restricting patterns, prescribing set walking formations such as single file or cutting corners;
- Forcing PNMs to perform individual acts or acts as a group which are crude, degrading and meant to embarrass and/or humiliate, i.e. acting like an animal, simulating sexual acts;
- Theft of any property, including assigning or endorsing pranks such as borrowing or stealing items, painting property and objects of others, or harassing other individuals or groups;
- Engaging in unauthorized activities which involve compelling an individual or group of individuals to remain at a certain location or transporting anyone anywhere, within or outside the Ewing area, i.e. road trips/drop-offs (dropping someone off and leaving him/her to find his/her own way back), kidnapping, sneaks, etc.;
- Deprivation of or interference with the maintenance of a normal schedule of bodily cleanliness;
- Causing an individual to be sleep deprived and/or suffer from excessive fatigue;
- Not permitting individuals to speak for extended periods of time and/or forced exclusion from social contact; prohibition of speaking with College officials, faculty, employers/clients, club membership or leadership or roommates or prohibition from speaking with family/friends even in emergency situations;
- Conducting activities that do not allow adequate time for studying or that interferes with their scholastic responsibilities (e.g., not allowing an individual to attend class, causing one to miss group projects);
- Psychological games used to intimidate PNMs, isolating pledges and/or abandoning or falsely imprisoning pledges;
- Forcing, requiring, or encouraging nudity at anytime;
- Forcing, requiring, or encouraging the wearing of specific uniform apparel or publicly wearing apparel which is conspicuous and not normally in good taste( uniforms, head apparel, boots/shoes, etc.);
- Requiring the ingestion of any substance, i.e. spoiled food, drink, concoctions, water, hot sauce or dietary intake in any way, i.e. food restrictions, limitations, designating diet (healthy or otherwise);
- Requiring prescribed greetings or recitation as part of PNM activities/PNM program in academic areas;
- Expecting certain items to always be in one's possession that have no significance to the organization (as stated by the governing body) or that are physically burdensome or

potentially dangerous, i.e. PNM book, rock, bricks, pumpkin, stuffed animal, rubber duck, etc.;

- Performing acts of personal servitude for members (e.g., driving them to class, cleaning their individual rooms, serving meals, washing cars, shopping, laundry); requirement/forcing of purchases for others;
- Forcing, requiring, or encouraging individuals to engage in public stunts or buffoonery, hair cutting, morally degrading/humiliating games or activities, which are distasteful or designed to provoke nausea or inebriation;
- Verbally harassing any individual or any action or situation which subjugates an individual to a condition where he/she might tend to lose self-respect or suffer injury to personal or religious values;
- Producing mental or physical discomfort in any form or physical and/or psychological shocks in any form;
- Forcing, requiring, or encouraging the violation of college policies, federal, state, or local law.

*\*Depending upon circumstances, these activities have at one time or another been construed as hazing by the courts and/or institutions of higher education. Such actions are often required or implied as conditions of inclusion or exclusion from a group, formal or informal. Thus, hazing may be perpetrated by individual(s), group(s), or part(s) of a group.*

**Hazing is hazing regardless of consent. Agreeing to any of the aforementioned activities or any other unauthorized activity does not make it acceptable.**

### **Alternatives to Hazing**

Alternative activities can lead the organization into the right direction. It is imperative to have activities that are positive and valued based in the organization. Here are some examples, but not an exhaustive list:

- Participate in a trainer led Ropes Course as a chapter
- Plan and participate in a community service project together
- Have a resume writing or study skills workshop presented
- Dinner and a movie
- Create a vision and goals for the organization together
- Host a Family Weekend activity
- Ask College Police to hold a discussion on any relevant topic
- Attend a program or event another organization is sponsoring
- Develop a faculty advisor appreciation gesture
- Participate in Intramural activities together
- Go to an athletic event as a chapter
- Ask a faculty member to facilitate a discussion on diversity or another topic of interest
- Attend a theatrical production

- Do a goal setting program
- Ask a professor to do a program on etiquette
- Have lunch together once a week in the dining hall

## **Myths and Facts About Hazing**

**Myth #1:** Hazing is a problem for fraternities and sororities primarily.

**Fact:** *Hazing is a societal problem. Hazing incidents have been frequently documented in the military, athletic teams, marching bands, religious cults, professional schools and other types of clubs and/or organizations. Reports of hazing activities in high schools are on the rise.*

**Myth #2:** Hazing is no more than foolish pranks that sometimes go awry.

**Fact:** *Hazing is an act of power and control over others – it is victimization. Hazing is pre-meditated and NOT accidental. Hazing is abusive, degrading and often life-threatening.*

**Myth #3:** As long as there's no malicious intent, hazing should be O.K.

**Fact:** *Even if there's no malicious "intent," safety may still be a factor in traditional hazing activities that are considered to be "all in good fun." For example, serious accidents have occurred during scavenger hunts and kidnapping trips. Besides, what purpose do such activities serve in promoting the growth and development of group team members?*

**Myth #4:** Hazing is an effective way to teach respect and develop discipline.

**Fact:** *Respect must be GIVEN -- not earned and taught. Victims of hazing rarely report having respect for those who have hazed them. Just like other forms of victimization, hazing breeds mistrust, apathy and alienation.*

**Myth #5:** If someone agrees to participate in an activity, it can't be considered hazing.

**Fact:** *In states, including New Jersey, which have laws against hazing, consent of the victim can't be used as a defense in a civil suit. That is because even if someone agrees to participate in a potentially hazardous action it may not be a true consent when considering the peer pressure and desire to belong to the group.*

**Myth #6:** Everything is considered hazing, so what's the point.

**Fact:** *Everything is NOT hazing. More things are considered "not hazing" than hazing. Additionally, there are plenty of activities and experiences that have been developed by the National Headquarters of your organization to teach new members about the organization and establish bonds of brotherhood/sisterhood. When a chapter chooses not to follow their own program or policy is when everything may seem like hazing.*

**Myth #7:** I'm just doing what everyone has done before me.

***Fact:*** *If left unchecked, organizations tend to exacerbate new member activities; making them more elaborate and difficult than they were in the previous year. This “snowball effect” is what often takes well intended and appropriate activities and transforms them into hazing.*

## **How to Identify If the Activity/Event is Hazing**

How do you know if you are hazing or being hazed? Answer the following questions to find out:

1. Would you feel comfortable enough to show or perform the activity in front of key members of the administration, your coach, or your advisor?
2. Would you show pictures of the event to your loved ones? Unedited?
3. Would you print it in College recruitment publications as a selling point?

If you answered any of these questions with a “no” you are most likely involved in hazing.

Hazing encompasses any action or activity that does not contribute to the positive development of a person; that inflicts or intends to cause mental or bodily harm or anxieties, or that may demean or disgrace any person.

It is not necessary to participate directly in a hazing activity to hold some level of accountability and/or liability. Knowledge of such activity can indicate a level of responsibility. Also a person’s willingness to be hazed does not excuse the activity from being considered hazing, from charges being filed or possible sanctions from being imposed.

If you are being hazed or know someone in your fraternity or sorority chapter who is hazing or being hazed, COME FORWARD AND REPORT IT.

## **How to Report a Hazing Incident/Violation**

All members of the College community are strongly encouraged to report suspected instances of hazing to:

- Office of Student Life
  - [studentlife@tcnj.edu](mailto:studentlife@tcnj.edu)
  - 609-771-2466
  - BSC 209
- Director of Student Life
  - Dave Conner
  - [conner@tcnj.edu](mailto:conner@tcnj.edu)
  - 609-771-3125
  - BSC 209
- Assistant Director for Student Life: Fraternity and Sorority Life
  - Aimee Wardle
  - [wardlea@tcnj.edu](mailto:wardlea@tcnj.edu)
  - 609-771-2473
  - BSC 208-A
- Dean of Students Office
  - 609-771-2780
  - BSC 220
- Campus Police
  - 609-771-2345

You can go the following website to fill out a Hazing Report:

[https://tcnj-advocate.symplicity.com/public\\_report/index.php/pid251239?](https://tcnj-advocate.symplicity.com/public_report/index.php/pid251239?)

*\*The Hazing Report is option 6.*

You can also report to any TCNJ faculty or staff member.