



Kean University Hazing Policy

Any Kean University student shall have the right to be free of all activities which might constitute hazing, while attempting to become a member of, or maintain membership in, a fraternity, sorority, society, club, or association whose members are primarily students or alumni of the organization. Organizations, their members, and their prospective members are prohibited from intentionally, knowingly or recklessly engaging in or encouraging others to engage in activities that are defined as hazing.

Hazing, as defined below, violates Kean University's community values as set forth in the *Student Code of Conduct*. Any alleged incidents of hazing will be investigated under the due process procedures set forth within the *Student Code of Conduct*. Individuals found responsible for violations of hazing will receive appropriate sanctioning and remediation as set forth within the *Student Code of Conduct*. Additional disciplinary action may be initiated against the organization as appropriate, which may include suspension of the organization. In addition to sanctions and remedies set forth under the *Student Code of Conduct*, incidents of hazing may be subject to referral for prosecution under federal and/or New Jersey state law.

Definition of Hazing

Kean University adopts the New Jersey legislature's definition of hazing as codified in Senate Bill 1090, otherwise known as Timothy Piazza's law. Hazing is defined as knowingly or recklessly organizing, promoting, facilitating or engaging in any conduct, other than competitive athletic events, which places or may place another person in danger of bodily injury **or** causes, coerces, or forces another person to do any of the following:

- (1) Violate federal or state criminal law;
- (2) Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the other person to a risk of emotional or physical harm;
- (3) Endure brutality of a physical nature, including whipping, beating, branding, calisthenics, or exposure to the elements;
- (4) Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct that could result in extreme embarrassment;
- (5) Endure brutality of a sexual nature; or

(6) Endure any other activity that creates a reasonable likelihood of bodily injury to the person.

Where an activity amounts to hazing, a person's consent to the activity is not a defense.

Medical Amnesty/ Good Samaritan

Kean University wants to make certain that students do not hesitate to seek help when faced with life threatening or critical substance related emergencies. In these circumstances, the University's response will focus on education and prevention rather than on disciplinary action. In incidents involving hazing, the University may apply Medical Amnesty when deemed appropriate on a case-by-case basis. Medical Amnesty applies only to those students or organizations who seek emergency medical assistance in connection with alcohol or drug overdose and does not apply to individuals experiencing a medical emergency who are found by University employees. The Medical Amnesty policy can be found in the *Student Code of Conduct* or [here](#).

Immunity from Prosecution under New Jersey law

A person, student or fraternal organization, shall be immune from prosecution under New Jersey law if the person, or employee, officer, or other agent for the organization or institution:

- (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;
- (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.

Penalties for Violations of New Jersey Law

In compliance with New Jersey statute, Kean University is required to notify all students of their rights under law. The following penalties may be imposed by a court of law to any individual found guilty of a hazing offense under New Jersey law:

1. If the hazing results in bodily injury, it is a third-degree misdemeanor under New Jersey law and may result in fines up to \$2,500 and/or imprisonment of up to one year.

2. If the hazing results in serious bodily injury or death, it is a third-degree felony under New Jersey law and may result in fines up to \$15,000 and/or imprisonment of up to 7 years.
3. Any property which has been, or is intended to be, utilized in furtherance of any unlawful hazing activity set forth in this section by a person, student or fraternal organization, or institution of higher education, as well as any proceeds derived from the unlawful activity, shall be subject to forfeiture pursuant to chapter 64 of Title 8 2C of the New Jersey Statutes.
4. Consent shall not be available as a defense *to a prosecution under law*.

Public Notification of Hazing Violations

As required under New Jersey law, Kean University will compile a report of all hazing policy violations under the *Student Code of Conduct* as well as under federal and New Jersey state law. This report shall contain five years of consecutive data.

To view the report, please visit:

<https://www.kean.edu/offices/center-leadership-and-service/greek-life>.

Report Hazing

Members of the Kean University community who are made aware of an alleged hazing incident, who witness a hazing incident or who wish to make a claim of alleged hazing should file an incident report with the Office of Community Standards and Student Conduct [here](#) or at stophazing@kean.edu.