

## HAZING

The [Stockton University Campus Conduct Code](#) policy on “Hazing” states:

Stockton University recognizes that campus involvement is an integral part of the college experience that contributes to the academic and social experience of students. Stockton strictly prohibits hazing of any kind by any student organization or team. Students are held accountable for both violations of local, state, and federal law and University policies as it relates to hazing.

### New Jersey Statutes

#### **2C: 40-3**

1.

- 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 of the organization or an institution of higher education, the person knowingly or recklessly:
  - i. causes, coerces, or otherwise induces another person to commit an act that violates federal or State criminal law;
  - ii. 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;
  - iii. 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;
  - iv. 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;
  - v. subjects another person to abuse, mistreatment, harassment, or degradation of a sexual nature; or
  - vi. subjects another person to any other activity that creates a reasonable likelihood of bodily injury to the person.

Hazing shall not include any reasonable and customary athletic, law enforcement, or military training; contests; competitions; or events.

- 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 of 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:

- i. 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;
- ii. 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;
- iii. the caller was the first to make the 9-1-1 report or other emergency report; and
- iv. 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 laws 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**

2. 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 (C.2C:40-3).

b. It shall not be an affirmative defense to a prosecution under section 1 of P.L.1980, c.169 (C.2C: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.

#### **2C: 40-5**

Conduct constituting an offense under this Act may, at the discretion of the prosecuting attorney, be prosecuted under any other applicable provision of Title 2C of the New Jersey Statutes.

#### University Regulations

Additionally, Stockton University defines hazing as “Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate that (i) endangers the mental or physical health or safety of a student, (ii) destroys or removes public or private property, (iii) is connected with an initiation or admission into, an affiliation with, or the maintenance of membership in or as a condition for continued membership in a student group or organization, or causes or creates a risk, above the reasonable risk encountered in the course of participation in the University (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including.”

The expressed or implied consent of a person is not a defense to any hazing activity.

Examples of hazing include, but are not limited to:

- whipping, beating, striking, electronic shocking, placing of harmful substance on someone's body, or similar activity;
- causing, coercing, or otherwise inducing sleep deprivation, exposure to elements, confinement in a small space, extreme calisthenics, or other similar activity;
- causing, coercing, or otherwise inducing another person to consume, food, liquid, alcohol, drugs, or other substances;
- causing, coercing, or otherwise inducing another person to perform sexual acts;
- any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;

- any activity against another person that includes a criminal violation of federal, state, or local law or University policies or procedures; and
- any activity that induces, cause or requires another person to perform a duty or task that involves a criminal violation of federal, state or local law or University policies or procedures.

The organization/team or any individual involved in hazing commits a violation of University policy by:

1. Engaging in hazing;
2. Soliciting, encouraging, aiding, or directing another engaged in hazing;
3. Intentionally or knowingly permitting hazing to occur;
4. Having first-hand knowledge that a specific hazing incident has occurred and failing to report said knowledge in writing to University officials.

Penalties for violations of the policy may include:

1. imposition of fines;
2. the withholding of diplomas or transcripts pending compliance with the rules or payment of fines;
3. the rescission of permission for the organization to operate on campus or to otherwise operate under the sanction or recognition of the institution; and
4. the imposition of probation, suspension, dismissal, or expulsion.

Complaints of hazing may be handled by the Campus Hearing Board, Office of Student Development, and/or the Campus Police.