



LONG ISLAND UNIVERSITY

ANTI-HAZING POLICY

PURPOSE

To ensure that students comply with Anti-Hazing policies set forth in *New York State Penal Law, Chapter 716, Section 1*

STATEMENT OF POLICY

Hazing is against New York State Penal Law and is prohibited at Long Island University. Hazing is considered any action that, either intentionally or recklessly, endangers the mental, emotional, or physical health or safety of a student, or which damages or removes property, for the purpose of initiation, admission into, affiliation with, or continued membership in, a Long Island University athletic team, student organization, fraternity or sorority, or other group.

Long Island University students may not consent to being hazed. A student who voluntarily or willfully participates in hazing activities is in violation of the hazing policy.

DEFINITIONS

New York State Penal Law, Chapter 716, Section 1 (effective November 1, 1988)

120.16: Hazing in the first degree: A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury. Hazing in the first degree is a class A misdemeanor.

120.17: Hazing in the second degree: 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 intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person. Hazing in the second degree is a violation.

NY State Penal Law §70.15 Sentences of Imprisonment for Misdemeanors and Violations:

Class A misdemeanor: A sentence of imprisonment for a class A misdemeanor shall be a definite sentence. When such a sentence is imposed the term shall be fixed by the court, and shall not exceed one year; provided, however, that a sentence of imprisonment imposed upon a conviction of criminal possession of a weapon in the fourth degree as defined in subdivision one of section 265.01 must be for a period of no less than one year when the conviction was the result of a plea of guilty entered in satisfaction of an indictment or any count thereof charging the defendant with the class D violent felony offense of criminal possession of a weapon in the third degree as defined in subdivision four of section 265.02, except that the court may impose any other sentence authorized by law upon a person who has

not been previously convicted in the five years immediately preceding the commission of the offense for a felony or a class A misdemeanor defined in this chapter, if the court having regard to the nature and circumstances of the crime and to the history and character of the defendant, finds on the record that such sentence would be unduly harsh and that the alternative sentence would be consistent with public safety and does not deprecate the seriousness of the crime.

Class B misdemeanor: A sentence of imprisonment for a class B misdemeanor shall be a definite sentence. When such a sentence is imposed the term shall be fixed by the court, and shall not exceed three months.

Unclassified misdemeanor: A sentence of imprisonment for an unclassified misdemeanor shall be a definite sentence. When such a sentence is imposed the term shall be fixed by the court, and shall be in accordance with the sentence specified in the law or ordinance that defines the crime.

Violation: A sentence of imprisonment for a violation shall be a definite sentence. When such a sentence is imposed the term shall be fixed by the court, and shall not exceed fifteen days. In the case of a violation defined outside this chapter, if the sentence is expressly specified in the law or ordinance that defines the offense and consists solely of a fine, no term of imprisonment shall be imposed.

POLICY TYPE: STUDENT AFFAIRS