



Responsible Office	University Public Safety	Effective Date	06/23/2025
Responsible Official	Clery Compliance Officer	Last Revision	06/23/2025

ANTI-HAZING POLICY AND PROCEDURES

I. POLICY STATEMENT

Fairleigh Dickinson University (FDU) is committed to promoting the safety and well-being of all students engaged in programs and activities associated with the institution. All members of the university community have a responsibility to assist in ensuring that Hazing does not occur in conjunction with any FDU University program or activity.

II. PURPOSE OF POLICY

The purpose of this Anti-Hazing Policy (“Policy”) is to prohibit hazing in all forms, ensure compliance with the Stop Campus Hazing Act (SCHA) Amendments to the Clery Act, and promote a safe and respectful campus environment. Hazing undermines the integrity of student life, endangers individuals, and is inconsistent with the mission, vision, and values of FDU.

III. SCOPE OF POLICY

This Policy applies to students, faculty, staff, administrators, trustees, recognized organizations/groups and established groups, and third parties while on or off-campus (including online), including visitors, alumni, guests, and the agents, representatives, and employees of suppliers and vendors (the “FDU Community”). Any employees alleged to be engaged in a hazing process against students will be referred to appropriate institutional policies and procedures.

FDU’s prohibition on hazing extends to all aspects of its educational programs and activities, including, but not limited to, admissions, employment, academics, athletics, and student services.

This Policy was written to follow the requirements of all applicable federal and state laws. If this Policy is inconsistent with those laws, or the laws change before it has been updated, state and federal law supersede this Policy. If any provision of this policy is found to be invalid, illegal, unconstitutional, or unenforceable, this Policy shall be deemed amended to reflect as nearly as possible the original intention of the provision in accordance with applicable law, and that finding shall not affect or undermine the validity of any other provision.

IV. DEFINITIONS

Terms used in this Policy have the following meanings:

Appeal Officer: An administrative staff member with no previous role in a complaint who will review any appeals to determine an outcome.

Charge: An alleged policy violation. A charge does not assume a student or organization is responsible for policy violations and responsibility will not be determined until the resolution process is finished.

Complainant: an individual (or group of individuals) who is/are alleged to have been subjected to conduct that could constitute a FDU policy violation.

Hazing: Federal and State Definitions

- A. Federal: The term “Hazing”, for purposes of reporting statistics on hazing incidents is defined 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. is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
 - ii. causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including:
 - a. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone’s body, or similar activity;
 - b. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - c. causing, coercing or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - d. causing, coercing, or otherwise inducing another person to perform sexual acts;
 - e. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - f. any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
 - g. any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.
- B. State of New Jersey: 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 degradations 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 does not include any reasonable and customary athletic, law enforcement, or military training; contests; competitions; or events.

Interim Measures: temporary administrative directives that are intended to ensure the safety of the Complainant and FDU Community by preventing a situation from escalating while allegations are being investigated. When the alleged actions of a Respondent threaten the order of FDU and/or its community members, interim measures may be put into place.

Party/Parties: Referring to the Complainant, Respondent, or both/all Complainants and Respondents.

Report: information provided about possible/alleged misconduct and/or violations of FDU policy.

Respondent: an individual (or group of individuals) who has/have been reported as having engaged in conduct that may have violated FDU policy.

Retaliation: any type of intimidation, threat, coercion, or discrimination against any person by FDU, a student, an employee, or other person authorized by the University to provide aid, benefit, or service under FDU's education program or activity, for the purpose of interfering with any right or privilege secured by this Policy.

Student Organization: an organization at FDU (such as a club, society, association, varsity or intermural athletic team, fraternity, sorority, band/choir, or student government) in which two or

more of the members are students enrolled at FDU, whether or not the organization is established or recognized by FDU.

- A. Established: a group created by FDU which is in existence but does not have to register as a student organization (including but not limited to athletic teams, musical or theatrical ensembles, and academic or administrative units).
- B. Recognized: an organization that consists of a number of persons who are associated with each other (two or more of whom are enrolled students) and have registered with FDU as a student organization (such as clubs, fraternities and sororities).
- C. Unrecognized: a club or organization that consists of a number of persons who are associated with each other (two or more of whom are enrolled students) and have not registered, have not had their registration approved, or have had their registration or recognition removed by FDU.

V. PRIVACY

A. Privacy

Privacy generally means that information related to a report under this Policy will only be shared with those University employees who “need to know” in order to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

If the decision is made to pursue disciplinary action or interim measures against a Respondent, information related to the report will be shared with the Respondent.

Information regarding a report will not be shared with either party’s parents or guardians unless the party is a minor (and sharing is permissible under the Family Education Rights and Privacy Act (FERPA)); the party has signed a waiver that is compliant with FERPA; disclosure is required by law; or, in accordance with FERPA, the University has determined that the disclosure is necessary to protect the health or safety of the party or other individuals.

B. Confidentiality

Confidentiality means that information shared with designated campus or community professionals will only be disclosed with the individual’s express written permission, unless there is a legal obligation to reveal such information (e.g. where there is suspected abuse or neglect of a minor) or where applicable professional standards otherwise permit disclosure (e.g., where there is a serious and imminent threat of harm to an individual). An individual can seek confidential assistance and support by speaking with specially designated confidential resources (Listed in Appendix I: Campus and Community Resources).

C. Release of Information

If a report of Prohibited Conduct meets the definition of a Clery crime and meets certain geographical requirements, the University is required to include the report in the Daily Crime Log and Annual Security Report. Reports captured in the Daily Crime Log and Annual Security Report do not include personally identifying information.

The University may also share aggregate and not personally identifiable data about the reports, outcomes, and sanctions.

All University proceedings are conducted in accordance with the requirements of University policy and applicable law. No information, including the identity of the parties, will be released from such proceedings except as required or permitted by law or University policy.

VI. FALSE REPORTS AND OTHER FALSE INFORMATION

The submission of knowingly false information is prohibited and will be addressed under FDU's Code of Conduct for students and employment policies for faculty and staff. No adverse action will be taken with respect to reports made and other information submitted in good faith, even if the facts alleged are not substantiated by an investigation and/or final determination.

VII. AMNESTY

The University encourages the reporting of violations of this Policy by persons who believe they have been victimized by the violation. The University recognizes that students may be hesitant to report incidents to University offices because they fear facing repercussions of policy violations, such as underage drinking, at the time of the incident. In the interest of the larger University community, and to promote reporting incidents to the University, the University will consider offering amnesty to persons who report being victims of hazing in connection with other policy violations (e.g., underage drinking). The determination of amnesty will be made on a case-by-case basis depending on the individual circumstances.

VIII. CLERY ACT AND ANNUAL SECURITY REPORT

The Clery Act is a federal crime and incident disclosure law. It requires, among other things, that FDU report the number of incidents of certain crimes that occur within particular geographic locations (Clery geography). Beginning with the 2026 Annual Security Report, FDU must also include Hazing incidents reported to have occurred within the Clery geography. The first calendar year that will include hazing statistics is 2025. The Clery Act also requires FDU to issue a warning to the community in certain circumstances.

In the statistical disclosures and warnings to the community, FDU will ensure that a Complainant's name and other identifying information are not disclosed.

All related information will be referred to the University Director of Public Safety, when appropriate, for a determination about Clery-related actions, such as disclosing crime statistics or sending campus notifications.

IX. TRAINING AND PREVENTION

In alignment with the prevention and awareness program requirements of the Stop Campus Hazing Act, FDU maintains a commitment to not only address incidents of hazing that occur, but also to educate our campus community about hazing and healthy alternatives to prevent this type of harm.

Our training program is provided to the FDU community. Learning outcomes include: the definition and basics of hazing, recognizing hazing, hazing intervention, how to report hazing, and the consequences of hazing.

All students, faculty, and staff must complete anti-hazing training upon joining the institution and annually thereafter.

FDU will provide ongoing education campaigns, including workshops, speaker events, and social media campaigns throughout the academic year to reinforce anti-hazing policies and encourage a culture of safety.

X. STUDENT ORGANIZATIONS WITH A PARALLEL PROCESS

FDU recognizes that some organizations have parallel accountability processes within their organization. Student organizations that become aware of a behavior that may also require FDU responses must act in collaboration with FDU to address the behavior.

Student organizations may not investigate complaints without support and guidance from their sponsoring “headquarters” and FDU staff when an incident requires investigations to be conducted by staff that are trained to manage complaints of a sensitive nature (e.g.: discrimination, academic misconduct, behavior grounded in mental health issues, illegal drug use, minor violations of the law).

Student organizations can, and should, address minor incidents within chapter processes (e.g.: not meeting membership obligations (meetings, dues/fees, participation, attitude, grades, etc.), conflicts between members, irresponsible or unbecoming behavior, integrity issues, etc.).

Organizations must not impede FDU investigations, including by withholding information.

XI. INCIDENTS THAT MAY VIOLATE ADDITIONAL POLICIES

In certain cases, conduct by an individual or group Respondent may violate other policies. In those cases, the Response Team, as discussed in Section XIII below, will select which office or individual has primary responsibility over a matter and how that individual will engage with other responsible offices. Examples include a hazing incident that also includes sexual and interpersonal violence or harassment, which may involve Title IX, Student Handbook policies, Residential Life policies, and violations of the Acceptable Use Policy. Matters may be consolidated and investigated/adjudicated together at the discretion of FDU.

XII. RECORDKEEPING

The files of individuals (or any student organization) found responsible for violation of the FDU Anti-Hazing Policy will normally be retained as a conduct record in the Department of Public Safety or in the University record system (or both). Records maintained to comply with the Clery Act (including the Stop Campus Hazing Act) will be retained for no less than seven (7) years.

PROCEDURES

XIII. DISCLOSURES/REPORTING

Any person may disclose hazing to FDU by contacting the University Director of Public Safety in person or via phone, email, or US Mail at:

Joe Vitiello, University Director of Public Safety
285 Madison Ave., M-BB1-01, Madison, NJ 07940
973-443-8891
jv@fd�.edu

In addition, any person may disclose hazing anonymously by submitting an anonymous online report which may be found at <https://portal.fdu.edu/forms/publicsafety-witnessmet.php>.

The disclosing person does not need to be the harmed person and/or a Complainant.

There may be instances when a student or employee discloses conduct that may violate this Policy. In such cases, all employees are required to report this disclosure to the University Director of Public Safety. Exceptions to this rule are limited to designated campus or community professionals who are subject to confidentiality obligations (e.g., medical professionals and clergy) when acting in the capacity of providing professional services to the student who discloses the information.

All disclosures will be reviewed by a response team led by the University Director of Public Safety and consisting of representatives, on an as needed basis, from Student Affairs, Office of Title IX & Anti-Discrimination and, if an employee is involved, Human Resources. Following this review, an Investigator will be selected to conduct a preliminary interview with the reporting party, if possible.

Based on the information gained from this preliminary interview, the response team will make a determination as to which department, and policy, will address the full investigation and resolution process. Depending on the involved parties and the nature of the allegations, these departments may include, but are not limited to, Student Conduct, Title IX & Anti-Discrimination, or Human Resources. The process for resolution of the matter will be in accordance with the applicable

policy under which the alleged conduct falls (e.g., Code of Student Conduct, Title IX Sexual Harassment, Faculty Handbook, etc.) and may include a hearing or other adjudication procedure.

XIV. SANCTIONS AND OTHER CONSEQUENCES

Hazing is a serious offense and, therefore, is subject to the full range of sanctions (reprimand, disciplinary probation, suspension, and expulsion). In addition, other educational activities (i.e., community service, participating in an anti-hazing workshop, etc.) or opportunities may be required as conditions of the sanction. An individual, organization, or group may be subject to other outcomes in accordance with the rules of applicable outside constituents, academic processes, and group(s) in which the student is involved. FDU has the right to act regardless of the actions of such other organizations.

A. Sanctions for Students

When a student is found to have violated this Policy, potential sanctions pursuant to the Code of Student Conduct and Community Standards include, but are not limited to, the following:

- Disciplinary reprimand,
- Disciplinary probation,
- Suspension for a period of time,
- Dismissal, and
- Other appropriate educational opportunities or sanctions.

Notice will be provided to the student if a sanction becomes part of their academic transcript (and will be noted in the student's final outcome/determination letter).

B. Sanctions for Student Organizations

When a student organization is found to have violated this Policy, potential sanctions pursuant to the Code of Student Conduct and Community Standards include, but are not limited to, the following:

- Formal reprimand,
- Disciplinary probation,
- Revocation of privilege(s) such as hosting social events, recruitment, new member activities, etc.,
- Suspension for a period of time,
- Permanent loss of recognition by FDU, and
- Other appropriate educational opportunities or sanctions.

C. Sanctions for Employees

When an employee is found to have violated this Policy, corrective actions may be taken pursuant to the appropriate employee policy (i.e., Employee Handbook, Faculty Handbook, applicable collective bargaining agreement, etc.).

D. Consequences for Alumni, Consultants, and Other Volunteers

When alumni, consultants or volunteers violate this Policy, FDU reserves the right to take appropriate action to address the individual's conduct and that of the organization or group.

XV. LAW ENFORCEMENT AND/OR GOVERNING BODIES

Violations of this Policy may be referred to the appropriate law enforcement, as well as to regional, national, and/or international affiliated offices of student organizations, for additional action and/or prosecution. FDU has the right to act regardless of the actions of a governing body or law enforcement. Decisions around culpability and any outcomes or sanctions from law enforcement or governing bodies are independent of any decisions made by the FDU under this Policy.

XVI. APPEALS

Either Party may appeal a determination of responsibility (or non-responsibility) by submitting a written appeal clearly explaining the basis of the appeal to appropriate department administrator (i.e., VP of Student Affairs, Title IX Coordinator, VP of Human Resources, etc.) within five business days of the determination.

Appeals may only be based on:

- A procedural irregularity that affected the determination of responsibility;
- The existence of new evidence that was not reasonably available at the time of the hearing or adjudication (as appropriate) and that could substantially affect the outcome of the matter;
- Bias on the part of the investigator or other administrator involved in the resolution process; or
- The sanctions imposed are grossly disproportionate to the violation(s) committed.

Dissatisfaction with the outcome of the investigation is not grounds for appeal.

Appeals will typically be heard by an appeal officer chosen by the University. All sanctions imposed by the original hearing officer or adjudicator, as appropriate, will be in effect during an appeal. A request may be made to the department administrator, or designee, to delay implementation of the outcomes until the appeal is decided, but the presumptive stance of the institution is that the outcomes will go into effect immediately. If, in the judgement of the appeal officer, a modification of the sanction is warranted, such modification may be made by the appeal officer.

The Appeal Officer's decision is final. No further appeals are permitted.

XVII. FAILURE TO COMPLY WITH SANCTIONS

Individuals that fail to comply and/or complete the assigned sanctions may be charged and an additional resolution process will be held. A hold may be placed on the Party's record until the incomplete sanction and/or failure to comply case is resolved.

In circumstances where a student organization fails to comply with sanctions, the organization may be charged and an additional resolution process will be held. A hold may be placed on the organizational record until the incomplete sanction and/or failure to comply with the sanction is resolved. The hold may impact the ability to receive funding or participate in FDU recognized events.