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**4.1 INTRODUCTION**

In establishing your chapter goals each year, give attention to this basic assumption: The functioning of the active chapter is equally as important as the functioning of a potential new member/intake class. What you need to know about a new member, quite simply, is how will he/she function as an active member? To learn this, the rules and programs for potential new members must be similar to those for actives; unique to each group, but equal.

In other words, the overall goal for a new member/membership intake program is the preparation of a potential new member/candidate/aspirant for lifelong membership in the active chapter. Given this goal, hazing is an ineffective means of imparting responsibility, self-respect, confidence, and acceptance.

**4.2 EXPECTATIONS FOR MEMBERSHIP**

Students at Cornell University are expected to conduct themselves in a manner supportive of the educational mission of the institution. Integrity, respect for the person and property of others and a commitment to intellectual and personal growth in a diverse population are values deemed fundamental to membership in this University community.

The following basic expectations for fraternity and sorority members have been established:

1. I will know and understand the ideals expressed in my chapter ritual and will strive to incorporate them in my daily life.
2. I will support a positive new member education program that is alcohol free. Chapters are prohibited from including first semester freshmen in any new member program activities.
3. I will not harass, whether physical or verbal, oral or written, which is beyond the bounds of protected free speech.
4. I will not threaten the mental health, physical health or safety of any person or persons including hazing, drug or alcohol abuse, and other forms of destructive behavior.
5. I will not intentionally disrupt or obstruct the lawful activities of the University or its members including their exercise of the right to assemble and to peacefully protest.

6. I will not allow theft of or damage to chapter, personal, University or public property or services or illegal possession or use of the same.
7. I will not physically harm or threaten physical harm to any person or persons, including but not limited to assault, sexual abuse, or other forms of physical abuse.
8. I will not use nor support the illegal purchase, use, possession or distribution of alcohol, drugs or controlled substances.
9. I will respect the health and safety of all human beings.
10. I will acknowledge that a clean and attractive environment is essential to both physical and mental health; therefore, I will do my best to see that the chapter property is properly cleaned and maintained.
11. The fraternity or sorority will not tolerate or condone any form of sexually abusive behavior on the part of its members, whether physical, mental, or emotional. This is to include any actions, which are demeaning to any person or persons including but not limited to sexual assault or verbal harassment. Culpability is not diminished for acts in violation of this Code that are committed in ignorance of the Code or under the influence of alcohol, illegal drugs or improper use of controlled substances.

### 4.3 HAZING

#### A. New York State Law

New York statutory law includes two (2) provisions making hazing an illegal act and one (1) provision requiring the adoption of university regulations proscribing hazing.

1. The Penal Law - Hazing in the First Degree

This provision makes hazing a crime punishable against any of the individuals who take part in activities if intentional or a reckless act that "creates a substantial risk of serious bodily injury or death...and thereby causes such serious bodily injury or death. The person need only have taken part in the activity and if injury results to any person as a result, that person can be guilty of hazing. This crime is a Class D FELONY.

2. The Penal Law - Hazing in the Second Degree

This provision makes hazing a crime punishable against any of the individuals who take part in activities if they intentionally or recklessly cause physical injury (though not serious). This crime is a Class E FELONY.

3. The Education Law - Hazing in the Third Degree

This provision describes hazing as "any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization." Such conduct is chargeable to the individual carrying it out and to the organization authorizing it. Intentional or reckless conduct which creates a risk of physical injury (though does not cause it) is a Class A MISDEMEANOR.

### **B. Cornell University Campus Code of Conduct**

Cornell University prohibits any organization from engaging in any action or situation which endangers mental or physical health, or involves the consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization. See Campus Code of Conduct and Section 6450 of the Education Law of the State of New York. Pursuant to Section 6450 of the Education Law of the State of New York, the above statement shall be deemed to be part of the by-laws of all organizations registered at Cornell University. The organization agrees that if it engages in conduct in violation of such statement, the nature of the conduct and any sanctions imposed may be reported publicly.

1. Cornell University's Campus Code of Conduct (retrieved online at [http://policy.cornell.edu/Campus\\_Code\\_of\\_Conduct.cfm](http://policy.cornell.edu/Campus_Code_of_Conduct.cfm)):

Title Three (Regulations for Maintenance of Educational Environment), Article II (Violations), Part A. Listing:

#### Subsection F: To haze a person

Hazing means an act that, as an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization, (1) could be seen by a reasonable person as endangering the physical health of an individual or as causing mental distress to an individual through, for example, humiliating, intimidating, or demeaning treatment, (2) destroys or removes public or private property, (3) involves the consumption of alcohol or drugs, or the consumption of other substances to excess, or (4) violates any University policy.

For more information on hazing, including regulations and alternative practices, visit <http://hazing.cornell.edu>.

Title Four (Regulations for Maintenance of Public Order), Article II (Violations), Part A. Listing:

Subsection 4. To engage in any action or situation that intentionally or recklessly endangers mental or physical health or involves the forced consumption of alcohol or drugs, for the purpose of initiation into or affiliation with any group or organization.

### **C. Interpretation of the Definition of Hazing**

In determining whether an activity constitutes hazing, the University shall use the common and ordinary meaning of the terms in the definition. If an organization is unsure whether a proposed activity will constitute hazing, the organization should feel free to contact the Office of Fraternity & Sorority Affairs.

### **D. Factors that affect the determination of chapter responsibility**

In determining responsibility, the University will take into account the following:

#### Consent

- Actual consent of member(s) knowingly agreeing to carry out the activity.
- Implied consent of member(s) failing to take steps to interdict the activity.

#### Coercion

- Actual Coercion: Member(s) physically compelling participation.
- Implicit Coercion: Member(s) making participation a condition or precedent to membership.

## Endangerment

- Intentional Endangerments: Harm being the natural and inevitable consequence of the activity.
- Reckless Endangerment: Disregard or indifference to safety; harm being a possible and foreseeable, but not a certain consequence.

## **E. Examples of Hazing Activities**

Examples of conduct which would violate the New York State "Anti-Hazing" Law and related Cornell University Campus Code of Conduct. This list is not meant to be inclusive, but is only meant to serve as an instructional aid. Specifically, such action or situation may include, but is not limited to:

- All forms of physical activity that are not part of an organized, voluntary athletic contest or not specifically directed toward constructive work.
- Any activity (including voluntary athletic contests and constructive work) that might reasonably bring physical harm to the individual.
- Paddling, beating, or otherwise permitting undergraduate or alumni members to hit other individuals.
- Requiring individuals to wear any degrading or uncomfortable garments.
- Depriving individuals of the opportunity for sufficient sleep, decent and edible meals, or access to means of maintaining body cleanliness.
- Activities that interfere with an individual's academic efforts by causing exhaustion, loss of sleep, or loss of reasonable study time.
- Requiring individuals to consume alcohol or drugs and/or any other substances.
- Forcing, coercing, or permitting students to eat or drink foreign or unusual substances.
- Throwing, pouring, or applying substances to the bodies of individuals.
- Morally degrading or humiliating games or any other activities that make the individual the subject of amusement, ridicule, or intimidation.
- Kidnaps, road trips, scavenger hunts, etc.
- Subjecting an individual to stressful, psychological conditions for any reason.
- Any requirement which compels an individual to participate in any activity which is illegal, perverse, publicly indecent, contrary to the individual's genuine moral and/or religious beliefs, or contrary to the Campus Code of Conduct or policies and regulations of the University.

## **F. Fraternity & Sorority Advisory Council Anti-Hazing Sub-Committee Guidelines**

(Adopted April 2004) All chapters governed by the Multicultural Greek Letter Council must agree to abide and comply with the acceptable guidelines approved by the Fraternity and Sorority Advisory Council, provided they comply with the policies and practices outlined by the Inter/National organization, New York State Law and the University Code of Conduct. The following activities have been identified as acceptable or unacceptable membership intake practices:

**Physical Activity:** Unacceptable. Because of the potential to use exercise as a punitive mechanism and because of concerns about a variety of physical limitations of new members, the committee decided that intake programs should not include a physical element. (Note: physical activity includes but is not limited to exercise, work outs, running, etc.)

**Uniforms:** Acceptable under the following conditions: As mandated by the Inter/National organization and only if professional. Uniforms cannot interfere with the academic institution or the student's ability to function within that institution.

**Marching:** Unacceptable unless included as part of a show (probate or step). Marching is defined as but is not limited to potential new members linked arm in arm, stepping or stomping loudly in unison, dipping and/or chanting/singing.

**Probate Shows:** Acceptable according to the Inter/National guidelines and the following conditions: Only if there is no physical, mental and/or verbal abuse and with proper and timely notification to the OFSA and if applicable, completion of a Use of University Property (UUP) Form.

**Walking in Line:** Unacceptable. Walking in line is defined as potential new members walking one in front of each other in a line. This also includes cutting corners and any other structured form of walking in formation.

**Walking in Unison:** Acceptable. Potential new members may walk together in unison. (Note: walking in unison is defined as walking together in/on the same stride. Not to be confused with marching. See #2 for definition of marching.) Walking in unison, as an accidental occurrence is acceptable, however chapters should refrain from mandating potential new members to walk in unison.

**Mandating Social Probation:** Unacceptable. Social Probation is defined as but is not limited to (1) not being able to socialize and or speak with friends, family, professors, employers, etc.; (2) not being able to attend social events such as parties, programs, etc.

**Greetings:** Unacceptable unless included in a show (probate or step). Greetings are defined as formalized ways in which a potential new member is required to address a current member of the organization in which skits, songs, prose, etc. are incorporated to imply and/or define the amount of respect, admiration and/or appreciation of the current member the potential new member has.

**Viewings:** Unacceptable. However, meetings with two or more organizations at which potential new members are present are acceptable with proper registration and notification to the OFSA. Viewings are defined as allowing members of other chapters or organizations to see look or view potential new members.

**Cross pledging:** Unacceptable. Cross pledging is defined as allowing members from another organization (fraternity and/or sorority) to view, question, pledge, come into physical contact, etc. with potential new members from your organization.

**Sleep Deprivation:** Unacceptable. No activity should go past midnight nor begin prior to 8am.

**Verbal, mental or physical threat:** Unacceptable.

**Physical contact or violence:** Unacceptable.

**Dietary restrictions and/or forced consumption:** Unacceptable. Requiring a potential new member to limit his/her eating habits and/or forced consumption of any substances (including but not limited to water, food, alcohol, condiments, etc.)

**Power hierarchies:** Unacceptable.

### 4.4 MGLC MEMBERSHIP INTAKE

#### A. MGLC Expectations for Approved Membership Intake

The following is a list of instructions in order for any MGLC chapter to be approved for Membership Intake.

1. Each organization must send the membership officer and chapter president to the Office of Fraternity and Sorority Affairs MGLC Intake Training at the beginning of the semester.
2. Each chapter will be required to follow the MGLC Intake Checksheet (go to <http://greeks.cornell.edu>) and submit all requested materials before receiving written approval to conduct Intake in any given semester.

3. Each chapter must submit a completed *Membership Intake Intent Form* every semester. If your chapter intends to have membership intake, **this form is to be returned by the set OFSA deadline. An intake program and calendar must be submitted to the OFSA one week prior to beginning the intake process.** Chapters should notify the OFSA in writing of any changes to the intake intent form and/or intake calendar.
4. The current members of each chapter must complete an *Anti-Hazing Compliance Form*.
5. All students in attendance at your informational or membership meeting are to sign the *Cornell University Anti-Hazing Policy* and these forms are to be returned **48 hours** after your informational meeting.
6. **No activity should go past midnight nor begin prior to 8 AM.** Adequate time should be reserved for studying, at least 15 hours during the week and 10 hours on the weekend. Chapter activities that involve prospective or potential new members should **NEVER** involve alcohol.
7. **Before the end of the membership intake process, the membership officer must schedule a meeting with all students participating in membership intake and the MGLC Advisor.**
8. All intake/membership related activities must be completed by the initiation deadline. Chapters must submit a new member list to the Office of Fraternity and Sorority Affairs within one week of initiation. Chapters that conclude their membership activities on the initiation deadline must submit a new member list to the OFSA the following day.
9. Chapters are not allowed to recruit **FIRST SEMESTER FRESHMEN** for Fall membership intake.
10. We understand any chapter found responsible for exceeding the new member initiation deadline without approval from the OFSA will be subject to a minimum of \$100 fine per day, per person over the stated deadline.
11. Potential new members, who choose to discontinue or are no longer eligible to participate in the membership intake process, **MUST** submit a **PROSPECTIVE MEMBER DISCONTINUATION FORM** to the OFSA.

### **B. MGLC Expectations for Approved Surfacing, Neophyte & Coming Out Shows**

1. All surfacing, neophyte and/or coming out shows must be registered with the Office of Fraternity and Sorority Affairs at least one week prior to event.
2. The chapter will need to submit the request online using the Register Your Event process found at <http://fsa.dos.cornell.edu/FSAevent.php>.
3. The Chapter will also be responsible for submitting a Use of University Property (UUP) when using any campus space that requires one for such activity. All UUPs require 2 weeks advanced notice and can be submitted online at <http://www.activities.cornell.edu/EventReg/>.