

STATE OF NEW YORK

7077

2023-2024 Regular Sessions

IN ASSEMBLY

May 10, 2023

Introduced by M. of A. RAGA -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to enacting the "campus-recognized sorority and fraternity transparency act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "campus-recognized sorority and fraternity transparency act".

2 § 2. The education law is amended by adding a new section 6438-c to read as follows:

3 § 6438-c. Campus-recognized sorority and fraternity transparency. 1.
4 For the purposes of this section, the following terms shall have the following meanings:

5 (a) "Campus-recognized sorority or fraternity" means a sorority or
6 fraternity that has officially met the formal chartering and recognition
7 requirements at the institution where it operates. Campus-recognized
8 sorority or fraternity does not include a collegiate honor society.

9 (b) "Chapter house" means any residence located on or off campus that
10 is owned by the institution of higher education but occupied by a
11 campus-recognized sorority or fraternity, or any residence located on or
12 off campus that is owned and occupied by the campus-recognized sorority
13 or fraternity.

14 (c) "Institution of higher education" or "institution" means a campus
15 of the state university of New York, the city university of New York, a
16 community college, a private postsecondary educational institution, or
17 an independent institution of higher education.

18 (d) "Misconduct" means any conduct in violation of institutional poli-
19 cies reportable under section 1092(f)(1)(F)(i)(II) and (IX) of Title 20
20 of the United States Code, as it read on January first, two thousand
21 twenty-two, or hazing in the first degree or hazing in the second degree
22 as defined in sections 120.16 and 120.17 of the penal law.

23 EXPLANATION--Matter in italics (underscored) is new; matter in brackets
24 [-] is old law to be omitted.

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1 (e) "Participating sorority or fraternity" means a sorority or frater-
2 nity described in subdivision three of this section.

3 (f) "Sanctioned event" means any event in which one of the following
4 occurs:

5 (i) The institution deems the event to be sanctioned by a fraternity
6 or sorority according to their campus policies and practices.

7 (ii) The name of a campus-recognized sorority or fraternity or partic-
8 ipating sorority or fraternity is used to market or publicize the event.

9 (iii) The name of a campus-recognized sorority or fraternity or
10 participating sorority or fraternity is displayed at the event.

11 (iv) Official funds of a campus-recognized sorority or fraternity or
12 participating sorority or fraternity are used for the purchase and
13 reimbursement of food, beverages, supplies, venue-related costs, public-
14 ity, party rentals, damages or cleanup fees, or any other costs associ-
15 ated with the event.

16 (v) A campus-recognized sorority or fraternity or participating soror-
17 ity or fraternity, or a benefactor officially affiliated with the soror-
18 ity or fraternity, receives any portion of funds raised from attendance
19 fees, ticket sales, or other forms of admission fees associated with the
20 event.

21 2. Each institution of higher education shall include in the insti-
22 tution's requirements for campus recognition of each campus-recognized
23 sorority or fraternity, both of the following requirements:

24 (a) (i) A requirement that the campus-recognized sorority or fraterni-
25 ty shall submit to the institution on or before July first, two thousand
26 twenty-four, and annually thereafter, all of the following:

27 (A) The number of active members in the campus-recognized sorority or
28 fraternity.

29 (B) The number of new members added to the campus-recognized sorority
30 or fraternity.

31 (C) The average grade point average of the membership of the campus-
32 recognized sorority or fraternity.

33 (D) The average grade point average of new members of the campus-re-
34 cognized sorority or fraternity.

35 (E) The number of community service hours the campus-recognized soror-
36 ity or fraternity completed as an organization.

37 (F) The total amount of money fundraised by the campus-recognized
38 sorority or fraternity.

39 (G) The current recognition status of the campus-recognized sorority
40 or fraternity, as determined by the institution.

41 (H) The current conduct status of the campus-recognized sorority or
42 fraternity, as determined by the institution.

43 (I) The addresses of all chapter houses affiliated with the campus-re-
44 cognized sorority or fraternity.

45 (J) The location, date, and time of any sanctioned event.

46 (K) Any additional information the institution may require.

47 (ii) Unless otherwise specified, the information collected pursuant to
48 subparagraph (i) of this paragraph shall be for the academic year imme-
49 diately preceding the reporting deadline.

50 (b) A requirement that any campus-recognized sorority or fraternity
51 that does not comply with paragraph (a) of this subdivision shall be
52 suspended from campus recognition.

53 3. A sorority or fraternity that satisfies both of the following may
54 comply with the reporting requirements of subdivision two of this
55 section:

1 (a) The sorority or fraternity has more than fifty percent of its
2 members enrolled at the institution of higher education.

3 (b) The sorority or fraternity is not recognized as an affiliated
4 sorority or fraternity of the institution by the official authorizing
5 body of that institution.

6 4. (a) (i) The institution shall compile and maintain the information
7 collected pursuant to subdivisions two and three of this section into a
8 publicly accessible report published on each campus Greek Life internet
9 homepage or its equivalent in a prominent location on or before October
10 first, two thousand twenty-four, and annually thereafter. The report
11 shall include a list of available mental health resources and the resi-
12 dence addresses of all campus-recognized sorority and fraternity chapter
13 houses. Each annual report shall be available on the campus Greek Life
14 internet homepage or its equivalent for a minimum of ten years.

15 (ii) The institution shall send the report for the academic year imme-
16 diately preceding the reporting deadline through a campuswide email to
17 all enrolled students on or before October first, two thousand twenty-
18 four, and annually thereafter.

19 (b) An institution that does not have any campus-recognized sorority
20 or fraternity or participating sorority or fraternity shall be exempt
21 from the reporting requirement of this subdivision.

22 (c) The institution of higher education shall include in the annual
23 report the following for each campus-recognized sorority and fraternity
24 and participating sorority or fraternity described in subdivision three
25 of this section for the academic year immediately preceding the report-
26 ing deadline:

27 (i) The number of citations, or disciplinary actions taken, relating
28 to misconduct at a chapter house or sanctioned event.

29 (ii) The addresses of chapter houses and sanctioned events and names
30 of sororities and fraternities where misconduct occurred.

31 (d) Notwithstanding any other requirement of this section, a report
32 required pursuant to this subdivision shall comply with all applicable
33 state and federal privacy laws, including, but not limited to, the
34 federal Family Educational Rights and Privacy Act (20 U.S.C. Sec.
35 1232g).

36 § 3. This act shall take effect immediately.