

## ***HAZING***

### **MASSACHUSETTS HAZING LAW**

Massachusetts General Law Chapter 269, Sections 17-19 makes it a crime to participate in organized hazing and provides for a punishment of a fine, imprisonment or both.

In accordance with the laws of the State of Massachusetts, Saugus High School does not condone hazing in any activity associated with the school, including athletics, academics and co-curricular clubs and organizations.

#### **Section 17: Definition:**

The term hazing as used in this section shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to weather, forced consumption of any food, liquor, beverage or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such students or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provision of this section to the contrary, consent shall not be available as a defense to any prosecution under this section. [Added by St. 1985, c.536. Amended by St. 1987, c.665.]

#### **Section 18: Reporting**

Whoever knows that another person is the victim of hazing as defined in section 17 and is at the scene of such a crime shall, to the extent that such person can do so without danger of peril to himself or others, report such a crime to an appropriate law enforcement official as soon as reasonably practical. Whoever fails to report such a crime shall be punished by a fine of not more than one thousand dollars.

[Added by St. 1985, c.536. Amended by St. 1987, c.665]

#### **Section 19: Notification**

This section of the Massachusetts General Laws requires this hazing law to be issued to all students and to all members of clubs, teams and organizations. Organizers and participants of hazing shall be disciplined in accordance with the measures set forth in the student handbook "Student Discipline Code."

S.19 (abridged) Each institution of secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is know by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen, provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams organizations.

## ***HAZING POLICY***

### **I. Policy Rationale**

Saugus High School is first and foremost an educational institution. Its hazing prevention policies and response procedures for hazing incidents must grow from and embody its educational mission.

Membership in extracurricular activities, clubs, and interscholastic athletics can increase leadership and service potential, recreational, intellectual, and artistic opportunities, and otherwise contribute positively to personal and social development. When membership is linked with involvement in hazing activities, the safety of students is endangered and the educational purpose of the endeavor is compromised. Saugus High School has therefore adopted a policy of zero tolerance for hazing as defined in the Massachusetts General Laws, Chapter 269, Sections 17, 18, and 19. This law is duplicated in the Saugus Student Handbook.

### **II. Policy Statement and Definition**

In accordance with the laws of the State of Massachusetts, Saugus High School does not condone hazing in any activity associated with the school, including athletics, academics, and co-curricular clubs and organizations.

“Hazing” means any intentional, knowing, or reckless act committed by a person, whether individually or in concert with others, against a student in connection with being initiated into, affiliated with, holding office in, or maintaining membership in any organization, club, athletic team, or activity and that is intended, or should reasonably be expected, to have the effect of humiliating, intimidating, or demeaning a student, or endangering the mental health or physical health of that student.

Hazing also includes soliciting, directing, aiding or otherwise participating actively or passively in such acts. Hazing occurs regardless of the consent or willingness of a victim to participate in the activity. Hazing may occur on or off the school’s campus. The school discourages activities of clubs and teams that are not sanctioned by the school and is not responsible for incidents that might arise from participation in non-school sanctioned events. However, this does not prevent the school from imposing this policy and holding students accountable if events of hazing occur at non-school sanctioned events.

It is the policy of Saugus High School that no student or adult shall participate in or be members of any secret fraternity, sorority or secret organization that is in any degree related to the school or to a school activity. No student or adult organization or any person associated with any organization sanctioned or authorized by the School Committee shall engage or participate in hazing.

### **Examples**

The following list is intended as a ***guideline only*** as to some of the activities that will be considered hazing at Saugus High School.

Any physical brutality directed at a student such as whipping, beating, paddling, striking, restraining, touching, piercing, tattooing, shaving or placing of a harmful substance on a student.

Any type of physical activity that subjects a student to an unreasonable risk of harm or adversely affects the student’s mental health or safety. Such activities would include “dares”, forced calisthenics, riding on the hood of a car, or “cramming” people into unusual places (car, closet, shower, lockers, etc.).

Any type of activity involving the consumption of food, liquid, alcohol, drugs or any other substance which can subject a student to unreasonable risk or harm or adversely affect the student's mental or physical health or safety.

Any activity that intimidates or threatens a student with ostracism, that subjects a student to extreme mental stress, shame, humiliation or that adversely affects the mental health or dignity of the student or discourages the student from remaining in school. Such activities would include, but not be limited to, psychological abuse, simulated sexual acts, harassment, being tied up, taped, or confined in a small space.

Any activity that induces, causes, or requires someone to perform a duty or task that involves a violation of the state or federal penal code. (Such examples would include, but not be limited to, shoplifting, driving recklessly, kidnapping, nudity in public places, stealing.)

Any other activity the administration deems detrimental to the mental and/or physical health of a student regardless of his/her consent.

It should also be noted that there are a wide array of activities in which student members of clubs, organizations and athletic teams can engage that positively nurture camaraderie and team building, develop unity, connectedness, and a sense of belonging and promote the development of self-esteem. Examples of such activities may include:

- Participating in team or club fund-raising activities

- Doing community service projects

- Arranging and performing clinics for youth programs

- Participating in benefit programs and exhibitions

- Arranging supervised pasta or pizza parties

- Promoting your activity over the school's public address system

- Wearing the "colors" of your sport, or sponsoring appropriate team/activity dress up days.

- Modeling "Good Character, Sportsmanship, Tolerance" as a goal of your group.

As a group, attending school sponsored events such as dances, athletic events, plays, concerts, art shows, science fair, banquets, honor society inductions, etc. which display your group's interest in school-wide activities.

#### Non-School Sanctioned Events:

Because it is not always clear to students, which activities are unacceptable and constitute hazing, student leaders and members of such groups are strongly encouraged to consult their parents, advisors, coaches, teachers, administration, or other officials responsible for the activity in advance of the planned event. It is not recommended that these activities conflict or interfere with a student's pursuit of academics. (Ex: After-practice pasta parties or sleepovers are discouraged on school nights.)

### III. Reporting Hazing Activities

Police will be notified of any hazing acts that may violate criminal law. If there is evidence of sexual or indecent assault and battery as defined by Massachusetts General Law, Chapter 265, Section 13H, the incident should be reported to legal authorities as mandated under Chapter 269, Section 18 of the Massachusetts

General Laws.

Massachusetts General Law 269, Section 18 requires that "whoever knows another person is the victim of hazing and is at the scene of such crime shall, to the extent that such person can do

so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable.

Whoever fails to report such a crime shall be punished by a fine of not more than one thousand dollars.”

Any person may report hazing directly to any school official, the principal, and/or superintendent of schools.

Students should responsibly report hazing incidents to a parent, teacher, administrator, coach, advisor, guidance counselor, local police, or other responsible adult. These reports should include time, place, people involved, and as much specific information as possible about the hazing event as to facilitate an investigation.

Any such person who receives a report of, observes, or has other knowledge of conduct that may constitute hazing shall inform the building Principal immediately.

Submission of a good faith complaint or report of hazing will not affect the complainant or reporter’s future employment, grades, work assignments, or activity participation (i.e. clubs, athletics, band, etc.).

#### IV. Consequences.

If a student is found to have organized or actively participated in the hazing of another student, through admission of guilt or through investigation by school officials or law enforcement officials, that student will immediately forfeit membership in all academic clubs, extracurricular groups, and athletic teams for a period of ninety (90) school days. The student will face school suspension for a period of up to five school days for minor involvement and five to ten days for organizing and participating. Counseling, community service and/or enrollment in diversionary programs may also be assigned at the discretion of the school administration, police, or courts. If an investigation of a hazing incident is not completed within the scope of a sport season, club duration, or activity period, persons found guilty of hazing will forfeit participation in that sport, club, or activity the next year and/or extracurricular activities for the current year at the discretion of the administration, including, but not limited to dances, plays, concerts, athletic events, senior week activities, proms, and graduation. Any student found guilty of hazing will relinquish all leadership positions such as class officer, sport captain, student council representative, etc., for the remainder of the academic year.

If the hazing incident involved enough members of the club, activity, or athletic team as participants, and there is concern for the safety of the students, the administration can cancel the club, activity, or athletic team for any period of time up to one year.

If the hazing involved any type of sexual assault or indecent assault and battery as defined in Chapter 265, Section 13H of the Massachusetts General Laws, the student will be suspended and may be subject to expulsion hearings which could result in either exclusion and/or expulsion from school.

#### V. Reprisal

In accordance with the school district’s harassment policy, the school district will discipline or take appropriate action against any student, teacher, coach, advisor, administrator, volunteer, contractor, or other employee of the school district who retaliates against any person who makes a good faith report of alleged hazing or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists, or participates in a proceeding or

hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

#### VI. Dissemination of Policy

Reference to this policy will appear in both the school's student handbook and teacher handbook. Prior to participation in any school club, organization, or athletic team, the student must sign and date an Activity Participation Form that includes information about hazing referencing this policy.

#### References:

M.G.L. CH 265, Section 13H

M.G.L. CH 269, Sections 17, 18, 19

Saugus High School Harassment Policy

Saugus High School Student Handbook

Saugus High School Teacher Handbook

#### APPENDIX

#### THE HAZING TEST \*

The following questions are intended to help student leaders to think about issues of hazing when planning activities for their organizations.

1. Would you have any reservations describing the activity to your parents, a teacher, or a school administrator?

2. Would you object to the activity being photographed for the school newspaper or local TV news?

3. Is there a risk of injury or a question of safety?

4. Is this a team or group activity in which members are encouraged or expected to attend and where minors are consuming alcohol?

5. Will current members refuse to participate with the new members?

6. Does the activity risk emotional or physical abuse?

Approved by the School Committee:

3/10/05