

NEW SALEM/WENDELL SCHOOL COMMITTEE

HAZING

It shall be the policy of the New Salem/Wendell School Committee that hazing as defined below will not be tolerated. The School Committee expects administrators to follow legal procedures for reporting hazing incidences and make clear to students and staff that hazing in the school building, on school grounds, on the bus or school sanctioned transportation or at school sponsored functions will be grounds for disciplinary action up to and including suspension and expulsion for students and termination for employees. The Principal will be responsible for investigating and processing all complaints of hazing.

CH. 269, S.17. CRIME OF HAZING; DEFINITION; PENALTY

Whoever is a principal organizer of or participant in the crime of hazing as defined herein shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or by both such fine and imprisonment.

The term "hazing" as used in this section and in sections eighteen, 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 the weather, forced consumption of any food, liquor, beverage, drug 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 student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

CH. 269, S.18 DUTY TO REPORT HAZING

Whoever knows that another person is the victim of hazing, as defined in section seventeen, 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 crime shall be punished by a fine of not more than one thousand dollars.

The Swift River School will issue every student a copy of this policy in the Swift River School Handbook.

PROHIBITION OF HAZING

In accordance with Massachusetts General Laws, Chapter 536 of the Acts of 1985, the School Committee hereby deems that no student, employee or school organization under the control of the School Committee shall engage in the activity of hazing a student while on or off school property, or at a school sponsored event regardless of the location. No organization that uses the facilities or grounds under the control of the School Committee shall engage in the activity of hazing any person while on school property.

Any students who observe what appears to them to be the activity of hazing another student or person should report such information to the Principal including the time, date, location, names of identifiable participants and the types of behavior exhibited. Students and employees of the District are obligated by law to report incidents of hazing to the police department.

Any student who is present at a hazing has the obligation to report such an incident. Failure to do so may result in disciplinary action by the school against that student and could involve suspension from school for up to three days.

Any student who participates in the hazing of another student or other person may, upon the approval of the Superintendent of Schools, be suspended from school for up to ten (10) school days.

Any student determined by the Principal to be the organizer of a hazing activity may be recommended for expulsion from school but will receive no less disciplinary action than that of a participant.

In all cases relating to hazing, students will receive procedural due process.

SOURCE: MASC

LEGAL REF.: M.G.L. 269:17, 18, 19

First Reading: 11-03-05

Second reading, first vote: 12-01-05

Final Vote: 01-05-06