

Students

MOUNT PLEASANT COTTAGE SCHOOL UNION FREE SCHOOL DISTRICT**SUBJECT: HAZING OF STUDENTS**

The School District is committed to creating and maintaining a safe, productive and positive learning environment within its schools which promotes civility and is free of discrimination and intimidation. Based upon the principle that every student is entitled to be treated with dignity and respect, the District finds that hazing activities are demeaning, abusive and/or illegal behaviors that harm victims and are inconsistent with the educational goals of the school. Hazing, like other disruptive or violent behavior, is conduct that interferes with the student's ability to learn as well as the school's ability to educate its students in a safe and secure environment. Hazing of a student by another student or group of students is strictly prohibited on school property; in school buildings; on school buses; by school sponsored groups, clubs or teams; and at school sponsored events and/or activities whether occurring on or off campus. Hazing of a student refers to soliciting, encouraging, aiding, or engaging in "hazing" behavior as defined pursuant to District policy, regulation and/or law. The prohibition of hazing - along with the range of possible intervention activities and/or sanctions for such misconduct - will be included in the *District Code of Conduct* for all grade levels. Any student who is in violation of District policy and/or regulation prohibiting hazing behavior will be subject to appropriate disciplinary measures (and/or intervention strategies as may be determined by administration) in accordance with applicable laws and/or regulations, District policy and administrative regulations and the *District Code of Conduct*.

Definition/Examples of Prohibited Conduct**Definition**

For purposes of this regulation, *the term "hazing" among students is defined as any humiliating or dangerous activity expected of a student to join a group, regardless of their willingness to participate.* Hazing behaviors include, but are not limited to, the following general categories:

- 1) Humiliation: socially offensive, isolating or uncooperative behaviors.
- 2) Substance abuse: abuse of alcohol, tobacco or illegal drugs.
- 3) Dangerous hazing: hurtful, aggressive, destructive, and disruptive behaviors.

Incorporated within this definition are various forms of physical, emotional and/or sexual abuse which may range in severity from teasing/embarrassing activities to life-threatening actions.

Even if the hazing victim participated "willingly" in the activity, or there was no "intent" by the hazer to harm or injure another individual, hazing is still hazing and against District policy, regulations and the *District Code of Conduct*, and may be in violation of New York State Law. However, hazing of students does not need to rise to the level of criminal activity for such conduct to be in violation of District rules and subject to appropriate disciplinary sanctions. Any hazing activity, whether by an

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individual or group, shall be presumed forced activity and in violation of District policy and regulations, regardless of the "willingness" of the student to participate.

Prohibited Conduct

Activities that may be considered as "hazing" pursuant to this regulation include, but are not limited to, the following:

- 1) Any act that recklessly or intentionally endangers the mental health, physical health or safety of a student which is performed as a condition of attaining/maintaining membership in any school sponsored group, club, team; and/or as a condition of participating in any school sponsored event or activity whether occurring on or off campus;
- 2) Forced consumption of food, alcohol, drugs, or other substances;
- 3) Forced exposure to the elements;
- 4) Activities intended to degrade, humiliate, embarrass, or shame;
- 5) Physical brutality/assault such as paddling or beating;
- 6) Sexual violation, including sexual simulation and sexual assault;
- 7) Assignment of "pranks" to be performed;
- 8) Forced calisthenics or other forced physical activity that could adversely affect the physical well being or safety of the individual;
- 9) Social isolation;
- 10) Personal servitude;
- 11) Sleep deprivation/restrictions on personal hygiene;
- 12) Nudity;
- 13) Kidnapping;
- 14) Binge drinking and drinking games;

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- 15) Yelling, swearing or insulting an individual;
- 16) Forced to wear embarrassing or humiliating attire in public;
- 17) Forced to engage in destructive and/or criminal acts such as vandalism, stealing and cheating;
- 18) Restraining an individual against his/her will; and
- 19) Use of electronic mail, instant messaging or other means to harass another student.

Reporting of Complaints/General Guidelines

- 1) Any student who believes that he/she is being subjected to hazing behavior, as well as students, school employees or third parties who have knowledge of or witness any possible occurrence of hazing, shall report the incident to any staff member or the Building Principal. Anonymous student complaints of hazing behavior will also be investigated by the District.
- 2) The staff member/Building Principal to whom the report is made (or the staff member/Building Principal who witnesses hazing behavior) shall investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority and/or other official designated by the District to investigate allegations of hazing. Investigations of allegations of hazing shall follow the procedures utilized for complaints of harassment within the School District, including the filing of "informal" and/or "formal" complaints and levels of appeal.
- 3) All allegations of hazing, whether written or verbal, formal or informal, will be investigated thoroughly, promptly and impartially in accordance with law and/or regulations, District policy, administrative regulations, and the *District Code of Conduct*.
- 4) To the extent possible, within legal constraints, all allegations of hazing behavior will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a "need to know" basis. *When school officials receive a complaint or report of alleged hazing behavior that may be criminal in nature or that could lead to in-school or out-of-school violence, law authorities should be immediately notified.*
- 5) Administration shall also refer to and use, as appropriate, existing policies and administrative regulations (such as those addressing harassment in the school setting, threats of violence in the

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school, bullying of students), the *District Code of Conduct* and the appropriate School Safety Plan when investigating allegations of hazing.

- 6) The Superintendent/designee is to be informed as soon as possible regarding all allegations and/or reports regarding hazing of students and the status of any investigations.
- 7) All investigations of allegations of hazing in the school setting, as well as any action taken, shall be appropriately documented in order to create a written record that demonstrates the District's efforts to reduce incidents of hazing and to facilitate the evaluation of the District's efforts to reduce such behavior.
- 8) Parents of students subjected to possible hazing behavior and/or students filing a complaint of hazing behavior, as well as parents of accused students, may be notified by the appropriate administrator of such occurrence and/or allegations as warranted and in accordance with legal guidelines. Applicable due process procedures will be followed depending upon the nature of the investigation and possible disciplinary sanctions, including due process procedures mandated pursuant to federal and state law and regulation if the accused student has been identified as having a disability or is suspected of having a disability.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

Regardless of the stage of the investigation, the victim will be instructed by the Complaint Officer to report immediately if the hazing behavior occurs again and/or if the alleged hazer retaliates against the victim. Any witnesses who cooperated in the investigation of the complaint will be similarly instructed to report to the Complaint Officer immediately as to any retaliatory action(s). Additionally, the designated Complaint Officer will make follow-up inquiries to ensure that hazing behavior has not resumed and that no reprisals or retaliatory behavior has occurred to those involved in the investigation. Any act of retaliation is prohibited and subject to appropriate disciplinary action by the District.

Knowingly Makes False Accusations

Students who *knowingly* make false accusations against another individual as to allegations of hazing may also face appropriate disciplinary action.

District Responsibility/Training

Principals in each school building and/or program supervisors will be responsible for informing students and staff on a yearly basis of District policy and regulations regarding the prohibition of hazing behavior by students.

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Personnel at all levels are responsible for taking corrective action to prevent hazing behavior of which they have been made aware at School District sites or activities (including group, club, or team events) and/or reporting such behavior to their immediate supervisor. Further, staff training shall be provided to raise awareness of the problem of hazing within the schools and to facilitate staff identification of and response to such hazing behavior among students.

Prevention and intervention techniques shall be developed at the building-level as well as in the classroom and at school sponsored groups, clubs, teams, events and/or activities as determined by administration. Individual intervention will be provided by appropriate staff members to hazers, victims and their parents to help ensure that the hazing stops.

Strategies to Reduce Hazing

The following is a list of some suggested strategies to help prevent/remediate hazing incidents in the District:

- 1) Publicize within the school community rules against hazing and post them school-wide, accompanied by a range of possible sanctions. (Note: Sanctions for hazing are also to be addressed in the *District Code of Conduct*.) This will help establish a clear "anti-hazing" message to staff, students, parents, and the community in general that hazing activities are prohibited in the District.
- 2) Use student and adult mentors to assist victims and hazers. Help foster self-esteem, civility and respect.
- 3) Staff training should be provided that includes not only awareness of the definition of hazing, examples of such conduct, and its consequences; but also addresses the responsibilities of various staff members and others in the school community (e.g., administrators, teachers, coaches, student activity advisers, school counselors and/or psychologists, students, parents, and the community in general).
- 4) The District policy on hazing should be incorporated in staff and student handbooks.
- 5) Procedures for investigation of allegations of hazing are to be communicated and followed by staff. All reports of hazing should be investigated with prompt remedial action taken as appropriate.
- 6) Provide positive teambuilding activities for students with appropriate adult supervision.
- 7) Reconsider all "initiation" activities in all school groups, clubs and teams.

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- 8) Pay attention to students who are not participating, who are excluded or who express a desire for revenge.
- 9) Encourage students and parents to notify the District when hazing occurs. Similarly, referrals should be made to law enforcement officials when appropriate.
- 10) Ensure that there are ways to report hazing that protect a student's anonymity if so desired.
- 11) Provide student orientation programs at the start of each school year that address appropriate/inappropriate student conduct, including the District's prohibition of hazing.
- 12) Disseminate the *District Code of Conduct* to teachers, students and parents as mandated pursuant to law and regulation.
- 13) Require appropriate behavior as well as satisfactory academic performance as a condition of student participation in school sponsored groups, clubs, teams, events and/or activities.
- 14) Coaches and student activity advisers shall, on a regular basis, disseminate and communicate to student athletic teams, groups and clubs the District's policy prohibiting hazing, as well as the expectations for appropriate behavior and the possible consequences for violation of District policy and administrative regulations.
- 15) Require students and their parents to sign an agreement or contract acknowledging the District's prohibition of hazing activities and the range of possible consequences for engaging in such prohibited activity.

Dissemination/Publication of District's Prohibition against Hazing Behavior by District Students

The District's policy and regulations prohibiting hazing behavior by students will be published in appropriate school publications such as teacher/employee handbooks, student handbooks and/or school calendars. A copy of District policy and regulations prohibiting hazing behavior by students will also be available upon request. Further, the District prohibition of hazing by students - along with the range of possible intervention activities and/or sanctions for such misconduct - shall be included in the *District Code of Conduct* for all grade levels.

NOTE: Refer also to Regulations #3420R -- Non-Discrimination and Anti-Harassment in the School District
#7551R -- Sexual Harassment of Students
#7552R -- Bullying in the Schools
District Code of Conduct