

Book	Policy Manual
Section	200 Pupils
Title	Hazing
Code	247
Status	Active
Adopted	October 5, 2009
Last Revised	September 26, 2017

## **Purpose**

It is the policy of the Marple Newtown School District to provide a safe, positive environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.

This policy defines hazing, specifies and describes prohibitions, outlines reporting procedures, and provides for the undertaking of appropriate preventative, remedial and/or punitive actions.

## **Definitions**

The term **hazing** as used in this policy means any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the recognition of the Marple Newtown School District.

For purposes of this definition of hazing, any activity as described shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding.

The term hazing for purposes of this policy does not mean merely discourteous acts; hazing involves significantly more egregious conduct.

The term **school personnel** as used in this policy means School Board members, school employees, agents, volunteers, contractors and/or persons subject to the supervision and control of the school district.

## **Guidelines**

### **Prohibitions**

No student, coach, sponsor, volunteer or district employee shall plan, direct, encourage, assist, engage in any hazing activity on school property, during the use of school facilities or during school-sponsored activities, services and/or team or organization/group events at any site.

It shall also be a violation of this policy for any school personnel to condone or tolerate any form of hazing in connection with a Marple Newtown School District organization which has come to his/her attention.

When hazing occurs it may include instances involving, but not be limited to the following:

1. Any brutality of a physical nature, such as whipping, beating, branding, paddling, electric shock, exposure to weather, placement of harmful substances on the body, forced calisthenics,

exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual.

2. Any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced simulation of actions of a sexual nature, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual.
3. Any willful destruction or removal of public or private property or negligence in regard to that destruction or removal.

#### Procedures for Notification

The district shall inform students, parents/guardians and school personnel that hazing will not be tolerated by means of one (1) or more of the following methods:

1. Distribution of policy.
2. Publication in handbooks.
3. Information session(s).
4. School district website: [www.mnsd.org](http://www.mnsd.org).
5. Posting of notices/signs.
6. Other means of notice to be implemented by the district.

#### Procedure for Reporting, Investigating and Resolution

##### Reporting -

1. The hazing complaint officials for purposes of this policy are the principal in each building and/or the district's athletics director. They are directly responsible for directing the investigation of any allegation of hazing.
2. Any school personnel who hears, observes or otherwise becomes aware of hazing, or who reasonably believes that hazing has occurred, must take prompt and appropriate action to stop hazing and prevent its recurrence. In the event that said personnel is unable to take prompt and appropriate action, said personnel shall report the incident or complaint of hazing to the hazing officials designated by this policy within one (1) school day or as soon as practicable thereafter.
3. Anyone (student, parent/guardian or other interested party) who believes, in good faith, that hazing has occurred shall inform any school personnel and/or one of the complaint official(s) designated by this policy. The complaint may be made orally or in writing.
4. Anyone making a complaint in good faith shall do so without fear of any repercussion whatsoever.

##### Investigation

1. An investigation shall be completed by the hazing official within ten (10) school days from the date of the complaint or report.
2. The investigation may consist of personal interviews with the complaining student(s), the alleged perpetrator(s) and any other individuals who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. Parents/Guardians of students involved will be informed of this investigation.

3. In determining whether alleged conduct constitutes a violation of this policy, the hazing complaint official should consider all surrounding circumstances. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
4. In addition, the Marple Newtown School District may take immediate steps, at its discretion, to protect the reporting student, alleged hazer, witnesses and school employees pending completion of an investigation of alleged hazing and may make any appropriate referrals for assistance, including, but not limited to: counseling, rape crisis intervention, notification of police, etc.
5. The hazing complaint official shall make a written report to the Superintendent upon completion of the investigation. The report shall include a determination as to whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

#### Resolution

1. Following the investigation, the hazing complaint official shall recommend to the Superintendent and/or school principal what action, if any, is required to stop hazing from recurring and to consequence offenders.
2. The Marple Newtown School District shall take appropriate action in all cases where the hazing complaint official concludes that this policy has been violated. Actions include, but are not limited to, the following:
  - a. Establishment of more vigilant security measures.
  - b. Warning, education, counseling, suspension, dismissal, or termination for any student or employee who is determined to have violated this policy.
  - c. Reporting of criminal conduct to the appropriate law enforcement agency.
3. The school principal shall maintain the written report of the investigation and the results in his/her office including follow-up documentation that actions of resolution were effective.

#### Reporting of Potential Physical and/or Sexual Abuse

Several behaviors listed as hazing may also constitute physical or sexual abuse. The term **physical abuse** is defined as the intentional infliction of bodily harm. The term **sexual abuse** is defined as any acts by a person involving sexual molestation or exploitation of another person, including but not limited to rape, sodomy or any lewd or lascivious conduct. Thus, under certain circumstances, some hazing may also be possible physical and/or sexual abuse under Pennsylvania law. Such abuse is subject to the duties of mandatory reporting and must be reported to the appropriate authority within twenty-four (24) hours of the time the educator becomes aware of the suspected abuse.

#### Confidentiality

The Marple Newtown School District recognizes that both the reporting student(s) and the alleged hazer have strong interests in maintaining confidentiality of the allegations and related information. The privacy of the reporting student(s), the individual(s) against whom the complaint is leveled and the witnesses will be respected as much as possible, consistent with legal obligations to investigate, to take appropriate actions, and to comply with any discovery or disclosure obligations.

#### Alternative Complaint Procedures

In addition to, or instead of, filing a hazing complaint through this policy, a person may choose to exercise other options, including but not limited to filing a complaint with outside agencies including the police or filing a private lawsuit.

Legal

24 P.S. 511

24 P.S. 5351 et seq

Pol. 122

Pol. 123

Pol. 218

Pol. 233

Pol. 317