

Bay Shore Union Free School District Anti-Hazing Policy

The Board of Education is committed to providing a safe, productive, **and** positive learning environment within its schools. Hazing activities are demeaning, abusive and/or illegal behaviors that harm victims, and are inconsistent with the educational goals of the District by negatively impacting the school 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 **includes** soliciting, encouraging, aiding, or engaging in “hazing” behavior as defined pursuant to District policy, regulation and/or law. The Board of Education shall require the prohibition of hazing-along with the range of possible intervention activities and/or sanctions for such misconduct to be included in the *District Code of Conduct* for all grade levels.

Definition of Hazing

For purposes of this policy, the term “*hazing*” among students is defined as any conduct intended to have the effect of, or which should reasonably be expected to have the effect of humiliating, intimidating or demeaning a student or endangering the mental or physical health of a student in order for that student to join, participate in, or hold office in any organization affiliated with any school or program operated by the District, including but not limited to school sports, activities and clubs. Hazing behaviors include, but are not limited to, the following general categories:

- a) Humiliation: conduct likely to cause embarrassment to or social isolation of the intended victim.
- b) Assault: Any conduct a reasonable person would believe likely to cause bodily injury.
- c) Abuse: Any physical, verbal, emotional and/or sexual conduct engaged in as part of initiation into or participation in a school-sponsored group, sport or activity.
- d) Substance abuse: abuse of tobacco, alcohol and/or prescription drugs or prohibited substances.

Even if the hazing victim participates willingly in the activity, or there was no intent by the perpetrator to harm or injure another individual, hazing in any form is prohibited conduct and violates District policy and the *District Code of Conduct* and may be in violation of New York State Law.

Examples of hazing include, but are not limited to, the following:

- a) Any kind of physical brutality such as whipping, beating, striking, branding, electrical shocks, placing a harmful substance on or in the body;
- b) Any kind of physical activity such as sleep deprivation, exposure to the elements, confinement in a small space, or other activity that creates an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- c) Any activity involving the consumption of food, liquid, alcoholic beverage, drug, or other substance that subjects a student to an unreasonable risk of harm.
- d) Any activity that induces, causes, or requires a student to perform a duty or task that involves the commission of a crime or an act of hazing as defined herein.

Hazing does not include any activity or conduct that furthers the legitimate curricular or extracurricular training program goals provided that the goals are approved by the District and provided that the activity or conduct further those goals in a manner that is appropriate, contemplated by the District, and normal and customary for similar public school programs. An example of permitted conduct includes reasonable athletic training exercises associated with participation in sports.

Reporting

Any student who believes he/she is being or has been subjected to hazing, as well as any student who has knowledge of or has witnessed a possible occurrence of hazing, shall report the incident to any staff member. If a student has witnessed hazing, but does not report the incident, he/she will be subject to consequences as per the district's *Code of Conduct*. All allegations of hazing shall be promptly investigated and will be treated as confidential and private to the extent possible under the circumstances. Investigations of hazing shall follow the procedures utilized for complaints of harassment within the School District.

Prohibition of Retaliation

The Board of Education prohibits any retaliation against complainants, alleged victims, witnesses, and/or any other individuals who participate in the investigation of allegations of hazing. Follow-up inquiries and/or appropriate monitoring of the alleged perpetrator(s) and victim(s) shall be made to ensure that misconduct has not resumed and that none involved in the investigation of allegations of hazing have suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action by the District.

False Accusations

It is a violation of the District's *Code of Conduct* to *knowingly* make false accusations of hazing or any other misconduct. Any student who makes such a knowingly false accusation will be subject to disciplinary action.

District Responsibility

Rules against hazing shall be publicized District-wide and shall be disseminated as appropriate to staff, students and parents/guardians. Each coach and/or co- or extra-curricular activity advisor shall explain to student participants the District's prohibition of hazing together with the possible consequences for engaging in hazing. Disciplinary sanctions for violation of this policy shall be delineated in the *District Code of Conduct* and may also be incorporated in staff and student handbooks. In addition, allegations of conduct that constitutes hazing may result in referral to law enforcement officials pursuant to the restrictions imposed by the Family Education Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g).

New York State Penal Law Sections 120.16 and 120.17
Education Law Sections 1709-a, 2554-a and 2801
8 New York Code of Rules and Regulations (NYCRR)
Section 100.2(1)(2)

Board Approved: 1/21/09