

## **HAZING LAW**

Massachusetts law makes it a crime to engage in hazing activities. Hazing means 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. A copy of the Commissioner of Elementary and Secondary Education's advisory is attached hereto as Attachment 1.

Middle school principals, heads of school, and principals of K-8 schools should treat hazing as a violation of Section 7.2.5 of the Code of Conduct with attendant sanctions. They are required by state law to take the following steps:

1. Distribute a copy of the amended law [Attachment 1] to each school-based student organization on or before September 15.
2. Obtain from each such student organization a statement, signed by a designated officer of the organization, indicating that:
  - a. the organization has received a copy of the law.
  - b. each of its members, plebes, pledges, or applicants has received a copy of the law.
  - c. the organization understands and agrees to comply with the law.

The designated officer's signature should be witnessed by an adult (i.e., faculty advisor), who should also sign the statement. These statements should be retained in the main office. A sample acknowledgment is attached to this memorandum as Attachment 2 for your convenience.

3. Distribute a copy of the law to all students in grades 7 through 12 at least annually. Middle school principals, heads of school, and principals of K-8 schools must certify that the school complies with the anti-hazing law to the Massachusetts Department of Elementary and Secondary Education on or before October 1, by logging into the anti-hazing application accessible via MassEdu Gateway.
4. The law also requires anyone who knows that another person is the victim of hazing to report such an incident to an appropriate law enforcement official as soon as possible and provides criminal penalties for failure to do so.

## SUMMARY OF SIGNIFICANT DATES AND DEADLINES

Date	Activity
By September 15	Building administrators distribute Attachment 1 to all school-based student organizations.
By October 1	Middle school principals, heads of school, and principals of K-8 schools certify compliance with the anti-hazing law to DESE.

**For more information about this circular, contact:**

<b>Owner:</b>	Legal Advisor
<b>Department:</b>	Office of Legal Advisor
<b>Mailing Address:</b>	2300 Washington Street, Roxbury, MA 02119
<b>Phone:</b>	617-635-9320
<b>Fax:</b>	617-635-9327
<b>Email:</b>	<a href="mailto:legal@bostonpublicschools.org">legal@bostonpublicschools.org</a>

Mary Skipper, Superintendent

## ATTACHMENT 1

### REMINDER ABOUT MASSACHUSETTS LAW PROHIBITING THE PRACTICE OF HAZING

#### School Year 2023-2024 Anti-Hazing Data Collection

The anti-hazing law, which was enacted in 1985, applies only to secondary schools in Massachusetts. Please note that a middle school that has been designated as a secondary school by the school committee must comply with the anti-hazing law and regulations.

Under [Massachusetts General Laws Chapter 269, Sections 17–19](#) and [603 CMR 33.00](#), all secondary schools, both public and private, must:

- Adopt anti-hazing policies as part of their disciplinary policies.
- Distribute copies of the anti-hazing law to all students enrolled full-time; to all student groups, teams, and organizations that are part of or are recognized by the school or are permitted by the school to use its name and facilities; and to all known unaffiliated student groups, teams, or organizations.

Every year, secondary school principals/heads of school must:

- Certify that you have read and understood the Anti-Hazing Policy and that the school has complied with the law by logging into the new Anti-Hazing application accessible via

MassEdu Gateway at <https://gateway.edu.state.ma.us/>

- High school principals/heads of school (or a designee) who need access should be assigned their school's Anti-Hazing user role by their district's [directory administrator](#). If you have questions about this, contact your directory administrator.
- If your school does not have a directory administrator, or if you need help with your user ID and password, please contact Nermina Peric at [nperic@doe.ma.us](mailto:nperic@doe.ma.us).
- The schools must certify with the department on or before October 1. By November 1, the department must notify the Attorney General of any school that has not filed a report.
- Collect a signed acknowledgement from a contact person for each student organization regarding distribution of information and agreement to comply with the law. The schools are not required to submit the Student Group Anti-Hazing Form but should keep the form for their records.

The guidance in this memorandum is intended to ensure that all public and private secondary schools meet their obligations under this important law and that students know the rules, expectations, and consequences regarding hazing. If you need additional information about the anti-hazing law and secondary schools' responsibilities, please contact [Nermina Peric](#) at 781-338-3708.

## MASSACHUSETTS GENERAL LAWS — CHAPTER 269

### **C. 269, S.17. Crime of Hazing: Definition: Penalty**

Whoever is a principal organizer 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 both such fine and imprisonment.

The term "hazing" as used in this section and in sections eighteen and nineteen, 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 any other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage or 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. Added by St.1985, c.536; amended by St.1987, c.665.

### **C. 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 or not more than one thousand dollars. Added by St.1985, c.536; amended by St.1987, c.665.

### **C. 269, S.19. Hazing Statutes To Be Provided; Statement of Compliance and Discipline Policy Required**

Each institution of secondary education and each public and private institution of post-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 known 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 or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges, or applicants for membership. It shall

be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full-time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary schools, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams, or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institution, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general



any such institution, which fails to make such report. Added by St.1985, c.536; amended by St.1987, c.665; St.1998, c. 161 §§ 557, 558.

**ATTACHMENT 2**

**SAMPLE ANNUAL STATEMENT OF ACKNOWLEDGEMENT FOR  
STUDENT GROUPS, TEAMS, AND ORGANIZATIONS**

**ANTI-HAZING LAW, M.G.L. C. 269, §§ 17-19**

To: Secondary School Principal or Head of School

On behalf of \_\_\_\_\_  
(name of student group, team, or organization)

I certify that the \_\_\_\_\_  
(name of student group, team, or organization)

and its members, plebes, pledges, or applicants for membership  
have received a copy of An Act Prohibiting the Practice of Hazing,  
M.G.L. c. 269, §§ 17-19; and that the

\_\_\_\_\_  
(name of student group, team, or organization)

understands and agrees to comply with the law.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

(Designated Officer)

\_\_\_\_\_

(Printed Name)

Faculty Advisor or Leader: (for school affiliated group, team, or organization only) \_\_\_\_\_

Date Received by Principal or Designee: \_\_\_\_\_

C: School Files  
Central Office Files