

**HAZING**

The Board of Education of the South Colonie Central School District is committed to providing an educational and working environment that promotes respect, dignity and equality. The Board recognizes that discrimination such as hazing, and the problems associated with it, is detrimental to student learning and achievement. This behavior interferes with the mission of the District to educate its students and disrupts the operation of the schools. Such behavior affects not only the students who are its targets but also those individuals who participate in and witness such acts.

The Board seeks to provide a safe environment conducive to academic excellence and student community. Therefore, the District, through this policy, condemns and strictly prohibits the practice of hazing students on school grounds, school buses and at all school-sponsored activities, programs and events.

This policy also applies to administrators, teachers, teaching assistants, coaches, advisors, and any other employee of the District. Staff members have a duty to be alert to possible hazing situations and shall follow the District's reporting procedure as set forth herein. Staff members shall not tolerate, permit, condone, encourage, participate in, or organize hazing.

**Definition**

Hazing is any method of induction, initiation or membership process of a student organization involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

For purposes of this definition, "student organization" means any academic, athletic, extra-curricular, or other group affiliated with the District by way of funding, use of school property, name association, or any other relationship.

Prohibited conduct includes physical contact, mental intimidation, forced physical activity, forced consumption of food, liquor, alcohol, beverage, or any other substance, or any other behavior which endangers a student's physical and/or mental health.

**Boundary of Policy**

The District's policy prohibits any hazing, associated with any student and/or student organization that takes place on school property or at locations outside of school grounds which can be reasonably expected to materially and substantially interfere with the requirements of appropriate discipline in the operation of the school or impinge on the rights of other students. All incidents of hazing may be subject to disciplinary consequences.

**Reporting Procedure**

Any student who has a suspicion, belief, or knowledge of hazing, or have themselves been the victim of hazing, shall report the occurrence to the School Principal. Any student may also seek informal advice on matters related to hazing from a Principal, teacher, or other staff member.

There shall be a duty for all school personnel to report any incidents of hazing that they observe to their Building Principal or other administrator who supervises their employment. In addition, there shall be a further duty for all school personnel to report any incidents of hazing of which they are made aware by students to their Building Principals or other administrator who supervises their employment. Supervisors will refer the information to appropriate District staff for investigation. A District employee may be deemed to have permitted unlawful discrimination or harassment if he/she fails to report an observed incident, whether or not the target complains.

If a staff person is unsure of the reporting procedure, he/she is expected to inquire about how to proceed by speaking with their supervisor.

**Investigation**

The District shall undertake an investigation upon the receipt of any report of hazing. The investigation should be completed as soon as possible and a report of the investigation shall be filed with the Superintendent of Schools within fifteen (15) days of its completion.

**Disciplinary Consequences/Remediation**

The District will appropriately discipline any students, teachers, teaching assistants, coaches, advisors, and any other employees of the District in violation of this policy pursuant to the District's Code of Conduct and the Education Law of the State of New York.

If appropriate, disciplinary action for student offenders will be taken by the administration in accordance with the District's Code of Conduct, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Consequences for a student who commits an act of hazing shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors, and must be consistent with the District's Code of Conduct.

**Non-Retaliation**

All complainants and those who participate in the investigation of a complaint in conformity with state law and District policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

**Confidentiality**

To the extent possible, the District will not release the details of a complaint or the identity of the complainant or the individual(s) against whom the complaint is filed to any third parties who do not need to know such information. However, because an individual's desire for confidentiality must be balanced with the District's legal obligation to provide due process to the accused, to conduct a prompt and thorough investigation, and/or to take necessary action to resolve the complaint, the District retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances to individuals with a need to know. The staff member responsible for investigating complaints will discuss confidentiality standards and concerns with all complainants.

Cross-Reference: 5020.5, Harassment of Students  
5300, Code of Conduct

Reference: Dignity for All Students Act, Education Law §§ 10–18  
New York Penal Law § 120.16, § 120.17  
Title VI, Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*  
Title IX, Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*  
§ 504, Rehabilitation Act of 1973, 29 U.S.C. § 794  
Individuals with Disabilities Education Law, 20 U.S.C § 1400 *et seq.*

Adopted: July 10, 2001

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