

Administrative Procedures for Hazing
(Attachment for Policy No. 247)

PURPOSE:

The purpose of these procedures is to maintain a healthy, safe, and positive school environment that is conducive to learning; to ensure that school administrators, teachers, and staff take appropriate measures to prevent and intervene in incidents of hazing.

In accordance with the provisions of the Timothy J. Piazza Antihazing Law, 18 Pa. C.S. § 2801, *et seq*, The School District of Philadelphia (“the District”) adopted School Board of Education Policy 247 to address hazing.

BOARD POLICY:

It is the intent of the District to maintain safe environments for all District students. Therefore, it is the District’s policy to prohibit all forms of hazing.

DEFINITIONS:

Hazing – A person commits the offense of hazing if the person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a minor or student into or with an organization, or for the purpose of continuing or enhancing a minor or student’s membership or status in an organization, causes, coerces or forces a minor or student to do any of the following:

1. Violate Federal or State criminal law;
2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the minor or student to a risk of emotional or physical harm;
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements;
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment;
5. Endure brutality of a sexual nature; or
6. Endure any other activity that creates a reasonable likelihood of bodily injury to the minor or student.

Hazing includes Hazing, Aggravated Hazing, and Organizational Hazing. Hazing shall not include reasonable and customary athletic, law enforcement or military training, contests, competitions or events.

Any activity, as described above, upon which the initiation or admission into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be presumed to be “forced” activity. It is not a defense that the consent of the minor or student was sought or obtained; nor is it a defense that that the conduct was sanctioned or approved by the organization.

Aggravated Hazing – A person commits the offense of aggravated hazing if the person commits a violation of Hazing that results in serious bodily injury or death to the minor or student; and

1. The person acts with reckless indifference to the health and safety of the minor or student; or
2. The person causes, coerces, or forces the consumption of an alcoholic liquid or drug by the minor or student.

Organizational Hazing – An organization commits the offense of Organizational Hazing if the organization intentionally, knowingly, or recklessly promotes or facilitates a violation of Hazing or Aggravated Hazing.

PROCEDURES:

Reporting

A student or their parent/guardian or third party who believes they have been subjected to hazing is encouraged to report the incident to the building principal or designee, or to any other member of the school staff, including teachers, guidance counselors, bilingual counseling assistants (BCAs), coaches and administrators.

All complaints to anyone other than the building principal shall be forwarded immediately to the building principal or Assistant Superintendent, if the building principal is the subject of the complaint.

Complaints against students or other minor persons associated with an organization will be promptly and appropriately investigated by the principal or principal’s designee, consistent with the students’ or minor’s due process rights, within 14 (fourteen) school days after receipt of the complaint. Complaints against employees, volunteers, coaches or other adults associated with an organization shall be referred to the Office of Talent for investigation.

NOTE: It is critical when receiving a complaint to determine whether immediate steps must

be taken to avoid further harm, such as keeping students separated, getting medical/behavioral health aid for anyone harmed, etc.

Investigation

Principals or the principal's designees will determine whether hazing occurred by taking the following steps:

1. All investigations shall be completed by the assigned investigator within fourteen (14) school days from the reporting of the complaint of hazing.
2. The investigation should consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.
3. The investigator shall attempt to secure statements from all participants in, and witnesses to, the incident(s). The complainant shall not be required to meet face-to-face with the accused.
4. When a student with limited English proficiency is a party to a complaint, interpretation and/or translation services shall be provided. The limited English proficiency of a complainant, witness, or the accused is not an acceptable reason for failure to secure a statement from him or her.
5. Inform the complainant that they may be accompanied by a parent/guardian during all steps of the complaint procedure.
6. Ensure that complainants are notified of available resources, such as counseling, health, and mental health services, and their right to file a complaint with local law enforcement.
7. Notify the complainant and the accused of the progress at appropriate stages of the investigation.
8. In cases involving potential criminal conduct, determine whether appropriate law enforcement authorities should be notified.
9. The obligation to conduct this investigation shall not be negated by the fact that other agencies, including but not limited to law enforcement or child welfare, may be investigating or have concluded their investigation.
10. The obligation to conduct this investigation shall not be negated by the fact that the complainant cannot identify the accused

11. Document the findings from the investigation and actions taken including a summary of the investigation, the determination of whether the complained upon conduct constituted any form of hazing, and any disciplinary action or intervention or support action taken.
12. If the investigation determines that the accused engaged in conduct that constitutes a violation of this policy, the principal or the principal's designee shall take prompt and effective steps reasonably calculated to end the hazing and prevent the hazing from recurring.
13. Submit a copy of the complete investigation records and summary to the Office of Climate and Safety.
14. A copy of the investigative file must be maintained in the principal's confidential file. The investigative records are not to be filed in the student's pupil pocket.

Consequences for Violations

If the investigation results in a substantiated finding of hazing, the principal shall recommend appropriate disciplinary action up to and including expulsion, as circumstances warrant, in accordance with the Code of Student Conduct. Additionally, the student may be subject to disciplinary action by the coach or sponsor, up to and including removal from the activity.

If the investigation results in a substantiated finding that a coach, sponsor, or volunteer affiliated with the student activity or organization engaged in, condoned or ignored any violation of this policy, that individual shall be disciplined in accordance with Board of Education policy and applicable laws and regulations. Discipline could include, but is not limited to, dismissal from the position as coach, sponsor, or volunteer, and/or dismissal from district employment.

If a student activity or organization authorizes hazing in blatant disregard of this policy or other applicable district rules, penalties may also include rescission of permission for that activity or organization to operate on school property or to otherwise operate under the sanction or recognition of the district.

Any person who causes or participates in hazing may also be subject to criminal prosecution.

Maintenance Schedule

These administrative procedures should be reviewed every five years by the Office of Student Rights & Responsibilities.