APPENDIX J

HAZING POLICY

**HAZING POLICY**

The Derry Area School District (DASD) recognizes that membership in extracurricular and co-curricular student organizations can significantly enhance the learning and growth experiences of students. In accordance with state and federal laws, the DASD adamantly prohibits any form of hazing or initiation by any student extracurricular or co-curricular organizations. All new member orientation and activities are expected to refrain from hazing in any form. Further, these activities should support the attainment of all purposes stated in the goals and objectives of the DASD.

No student activity, student team, individual student, volunteer, or employee shall conduct nor condone hazing activities. Hazing activities are defined by Pennsylvania Law as:

"**HAZING.**" 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 sanction of or recognized as an organization by an institution of higher education. The term shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, 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, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, 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, or any willful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition 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, the willingness of an individual to participate in such activity notwithstanding.

Any individual or organization suspected of authorizing or tolerating the occurrence of a hazing incident will be subject to an investigation by either the Derry Area School District or law enforcement officials. The investigation may be followed by formal charges or a formal disciplinary hearing in accordance with the student or employee conduct due process procedures outlined in the Derry Area School District policies and procedures and/or contracts. The express or implied consent of participants or victims will not be a defense.

**HAZING PROCEDURES**

**General Statement of Policy**

A. No student, teacher, administrator, volunteer, contractor or other employee of the school district shall plan, direct, encourage, aid, or engage in hazing.

B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate hazing.

C. Apparent permission for or consent by a person being hazed does not lessen the prohibitions contained in this policy.

D. Hazing activities are seriously disruptive of the educational process in that they involve students and violence or threats of violence. This policy applies to behavior that occurs on or off school property and during and/or after school hours.

E. A person who engages in an act that violates school policy or law in order to initiate another person or to be initiated into or affiliated with a student organization shall be subject to discipline for that act.

F. The Superintendent or his/her designee will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

**Reporting Procedures**

A. Any person who believes he or she has been the victim of hazing or any person with knowledge of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy.

B. The building Principal is the person responsible for receiving reports of hazing at the building level. Any person may report hazing directly to the Superintendent, Assistant Superintendent, and or Director of Athletics.

C. Teachers, administrators, volunteers, contractors, and other employees of the school district shall be particularly alert to possible situations, circumstances or events which might include hazing. Any such person who receives a report of observes, or has other knowledge or belief of conduct which may constitute hazing shall inform the Director of Athletics immediately.

D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter’s future employment, grades, or work assignments.

**School District Action**

A. Upon receipt of a complaint or report of hazing, the Superintendent shall undertake or authorize an investigation by school district officials or a third party designated by the school district.

B. The Superintendent may take immediate steps, at his/her discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of hazing.

C. Upon completion of the investigation, the Superintendent will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements, applicable statutory authority, and school district policies and regulations.

**Reprisal**

The Superintendent will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who retaliates against any person who makes a good faith report of alleged hazing or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists, or participates in a proceeding or hearing rating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.