



## Nichols College Hazing Policy

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Effective Date: August 28, 2015

Date Last Revised: New Policy

Nichols College will not tolerate any instance of hazing among students. Hazing is defined as any intentional or unintentional action taken or situation created to produce mental or physical discomfort, embarrassment, harassment, or ridicule for the purpose of initiation, ritual, tradition, admission or as a perceived condition of continued membership. The expressed or implied consent of an individual is not viewed as a defense. Failing to intervene, prevent, or report may also violate this policy.

Such activities and situations include, but are not limited to:

- Any activity that causes or requires an individual to violate the Student Code of Conduct
- Any activity requiring the consumption of food, liquid, alcohol, drugs, or other substance
- Any physical activity such as extended deprivation of sleep, forced calisthenics, exposure to weather, extended confinement or isolation, exercise or other activity that subjects an individual to a risk of harm or that adversely affects the mental or physical health or safety.
- Any activity that intimidates and threatens an individual with ostracism that subjects an individual to mental stress, embarrassment, shame or humiliation, or that adversely affects the mental health and/or dignity.
- Any type of physical or mental brutality including, but not limited to whipping, beating, striking, branding, or placing a harmful substance on the body.

In rigorously supporting the law with respect to the potential problem of hazing, all students are required to sign a statement of knowledge and compliance at the time of their registration for the new academic year. Incidents of hazing should be reported to the Dean of Students or the Public Safety Office. Elected student leaders of clubs, activities, classes, student residences, and sports teams will receive additional guidance and instruction from the Office of Student Services as deemed appropriate to ensure strict compliance with the spirit as well as the letter of the law.

The Nichols College Hazing Policy is in accordance with The Commonwealth of Massachusetts in 1985 and 1987 legislation. "Chapter 269 of the General Laws is hereby amended by adding the following three sections:

- **Section 17.** Whoever is a principle 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 by 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 other person. Such conduct shall include:
    - whipping
    - beating
    - branding
    - forced calisthenics
    - exposure to the weather
    - forced consumption of any food, liquor, beverage, drug or other substance,
    - 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
    - any other activity which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation
  - Notwithstanding any other provision of this section to the contrary, content shall not be available as a defense to any prosecution under this action.
- **Section 18.** Whoever knows that another person is the victim of hazing as defined in such 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 of not more than one thousand dollars.
- **Section 19.** 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 said 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 regents of higher education and in the case of secondary institutions, 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 for similar means of communicating the institution's policies to its students. The board of regents and, in the case of secondary institutions, 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.

### **Possible Sanctions**

Students found responsible for violating the Nichols College Hazing Policy are subject to sanctions ranging from Probation to Expulsion from Nichols College.