



## TECHNICAL INFORMATION BULLETIN NO. 52

**To: Members, Arizona School Risk Retention Trust, Inc.**

**Re: Hazing**

**PLEASE  
DISTRIBUTE TO:**

- Superintendents
- Business managers
- Principals
- Teachers
- Athletic directors
- Coaches
- Counselors
- Club/Organization sponsors

### Introduction

In years past, hazing was commonplace on campus as a “fun” way of initiating new students into school, social clubs, or athletic teams. More recently, though, public sentiment on the subject of hazing has changed. Currently, 44 states have adopted anti-hazing legislation—and Arizona is one of them. Arizona’s hazing law, which can be found at A.R.S. §15-2301, requires every public educational institution in the state to adopt, post, and enforce a hazing prevention policy.

This TIB offers information on the additional elements of the law, and on the subject of hazing in general.

### Hazing: Definition

The legislature has defined “hazing” as follows:

"Hazing" means any intentional, knowing or reckless act committed by a student, whether individually or in concert with other persons, against another student, and in which both of the following apply:

(a) The act was committed in connection with an initiation into, an affiliation with or the maintenance of membership in any organization that is affiliated with an educational institution.

(b) The act contributes to a substantial risk of potential physical injury, mental harm or degradation or causes physical injury, mental harm or personal degradation.

The legislature’s definition of “organization” is, “an athletic team, association, order, society, corps, cooperative, club or other similar group that is affiliated with an educational institution and whose membership consists primarily of students enrolled at that educational institution.”

## **Recognizing Hazing**

Some hazing activities are readily recognizable: forced drinking, sleep deprivation, paddling, dog piling, pink bellies, brooming, duct taping, forced wearing of embarrassing outfits, etc.

Other hazing activities have no specific name, though, and/or are less recognizable. When in doubt, you should ask several questions regarding the activity.

- Does it have an educational purpose?
- Would a school administrator react positively if he/she were to witness the activity?
- Are participants encouraged to discuss the activity with outsiders?
- Does the activity promote the community's values?
- Are all members participating in it?
- Would parents be allowed to witness the activity, and would they approve of it?
- Is the activity free from the risk of psychological or physical distress?

If the answer is “no” to any of these questions, the activity is probably hazing.

### **Difference Between Hazing and Bullying**

Because bullying has also been a common topic in educational circles in recent years, it's important to distinguish between hazing and bullying, and to recognize that Arizona has laws related to bullying as well (see Trust TIB No. 56: Bullying in a School Environment.)

Bullies and hazers may use some of the same techniques—such as ridicule, or physical harm and harassment—but they differ in two important ways.

First, bullying is generally meant to create a feeling of exclusion from a broader group. Hazing rituals, on the other hand, tend to be associated with entry into or access to a group.

Second, bullies often act alone or in small groups, whereas hazing is often conducted by an entire group or team.

### **Requirements Under Arizona Law**

A.R.S. §15-2301 requires all school districts to adopt a hazing prevention policy, and requires that the policy be printed in every student handbook for distribution to parents and students. The policy must include:

- a definition of hazing;
- a statement that hazing is prohibited;

- a statement that any solicitation to engage in hazing is prohibited;
- a statement that aiding and abetting another person who is engaged in hazing is prohibited;
- a statement that it is not a defense to a violation of the hazing prevention policy if the hazing victim consented to or acquiesced in the hazing activity;
- a statement that all students, teachers, and staff will take reasonable measures within the scope of their reasonable authority to prevent violations of the hazing prevention policy;
- a description of the procedures for students, teachers, and staff to report violations of the hazing prevention policy, and the procedures to file a complaint for a violation of the policy;
- procedures to investigate reports of violations of the hazing prevention policy, and to investigate complaints for a violation of the hazing prevention policy;
- a description of the circumstances under which a violation of the hazing prevention policy will be reported to the appropriate law enforcement agency; and
- a description of appropriate penalties, sanctions, and appeal mechanisms for persons and organizations that violate the hazing prevention policy.<sup>1</sup>

In addressing hazing, school personnel should remember their duty to report abuse, physical injury, neglect, etc., of minors under A.R.S. §13-3620. (For more information on this subject, see Trust TIB No. 22.)

### **Arizona School Boards Association Model Policy**

The Arizona School Boards Association has developed a model policy with respect to hazing in Arizona schools. That policy covers the statutory requirements, and additional recommended practices. It is attached as an appendix to this document.

### **Hypothetical Scenarios**

#### Scenario #1: facts

The kicker on the school football team missed an extra point that would have tied the game and sent it into overtime. Instead, the team lost as time expired. Afterwards, a group of players on the team decided to tape the kicker to the goal post. The kicker didn't put up much resistance as he was being taped, but he later went to the hospital because the tape on one of his wrists was so tight that it began to cut off the circulation to his hand.

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<sup>1</sup> The sanctions must include the revocation or suspension of an organization's permission to conduct operations at the educational institution if the organization knowingly permitted, authorized, or condoned the hazing activity. Any teacher or staff member who knowingly permitted, authorized, or condoned the hazing activity is subject to disciplinary action by the educational institution.

### Scenario #1: analysis

The players' conduct is a clear case of hazing. It related to the kicker's participation on the football team and was intended to be personally degrading. Per statute, the fact that the kicker did not put up much resistance is not a defense to the charge of hazing. Finally, note that the kicker has an apparent injury that was not accidental. This creates a duty to report the matter to law enforcement, per A.R.S. §13-3620.

### Scenario #2: facts

Each of the captains on the cheerleading team picks a teammate to be a personal "lackey." The captains then require the lackeys to perform various menial tasks. For example, a lackey may be assigned to wash the captain's uniform, bring the captain lunch, or carry the captain's books.

### Scenario #2: analysis

This activity is probably hazing. Though it relates to participation on the cheerleading team, the question is whether it poses a substantial risk of mental harm or personal degradation.

When in doubt, the activity can be evaluated according to the questions on page 2. For example, does the activity have an educational purpose? Does the activity promote community values? Are all members participating in it? Based on answers to these questions, and applying a conservative approach, the activity should be considered hazing.

### Scenario #3: facts

Long-time members of the History Club challenge new club members to a fundraising contest, with the proceeds going to support club activities, and with the winning team earning ribbons and "bragging rights."

### Scenario #3: analysis

Although the contest does relate to membership in the History Club, it is intended solely to serve the broader purposes of the club (through fundraising), and poses no risk of potential physical injury, mental harm, or degradation. This is not hazing.

## **Conclusion**

Hazing is no longer an acceptable activity on any school campus. School districts now have an affirmative responsibility to prevent it and report it under A.R.S. § 15-2301. This responsibility includes the obligation to adopt and enforce an effective hazing prevention policy, and to report, investigate, and respond to hazing violations when they occur.

By following the guidelines in this TIB, and the model ASBA policy included in the appendix, this process should become simpler and more manageable.

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### **Additional Resources<sup>2</sup>**

#### Stophazing.org

“The mission of StopHazing is to promote safe school, campus and organizational climates through research, information sharing and the development of data-driven strategies for hazing prevention.”

#### Hazingprevention.org

“HazingPrevention.Org is a national organization dedicated to empowering people to prevent hazing, by providing education and resources, and building partnerships with others. Major initiatives of the organization include National Hazing Prevention Week™, the Novak Institute for Hazing Prevention™, and educational courses that touch the lives of thousands of individuals, organizations, campuses and communities.”

#### Education World

Linda Starr, “Hazing: Not Just a College Problem Anymore,” *Education World*, 2007, available online at [http://www.educationworld.com/a\\_issues/issues123.shtml](http://www.educationworld.com/a_issues/issues123.shtml).

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<sup>2</sup> These materials are included for user reference only and are provided “as is” and without warranties of any kind, either express or implied. This means that the Trust does not warrant, endorse, or make any representations regarding the information provided in the referenced sources in terms of its correctness, accuracy, state of the art, or reliability.

## **APPENDIX: ARIZONA SCHOOL BOARDS ASSOCIATION HAZING POLICY**

### **JICFA © HAZING**

There shall be no hazing, solicitation to engage in hazing, or aiding and abetting another who is engaged in hazing of any person enrolled, accepted for or promoted to enrollment, or intending to enroll or be promoted to District schools within twelve (12) calendar months. For purposes of this policy a person as specified above shall be considered a "student" until graduation, transfer, promotion or withdrawal from the District school.

"Hazing" means any intentional, knowing or reckless act committed by a student, whether individually or in concert with other persons, against another student, and in which both of the following apply:

- The act was committed in connection with an initiation into, an affiliation with, or the maintenance of membership in any organization that is affiliated with an education institution.
- The act contributes to a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation.

"Organization" means an athletic team, association, order, society, corps, cooperative, club, or similar group that is affiliated with an educational institution and whose membership consists primarily of students enrolled at that educational institution.

It is no defense to a violation of this policy if the victim consented or acquiesced to hazing.

In accord with statute, violations of this policy do not include either of the following:

- Customary athletic events, contests or competitions that are sponsored by an educational institution.
- Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program, or a legitimate military training program.

All students, teachers and staff shall take reasonable measures within the scope of their individual authority to prevent violations of this policy.

Students and others may report hazing to any professional staff member.

Professional staff members must report the incident to the school administrator or next higher administrative supervisor, in writing, with such details as may have been provided. A failure by a staff member to timely inform the school administrator or next higher administrative supervisor of a hazing allegation or their observation of an incident of hazing may subject the staff member to disciplinary action in accord with District

policies. The staff member shall preserve the confidentiality of those involved, disclosing the incident only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law. Any instance of reported or observed hazing which includes possible child abuse or violations of statutes known to the staff member shall be treated in accord with statutory requirements and be reported to a law enforcement agency.

To assure that students and staff are aware of its content and intent, a notice of this policy and procedure shall be posted conspicuously in each school building and shall be made a part of the rights and responsibilities section of the student handbook. Forms for submitting complaints are to be available to students and staff in the school offices.

Disposition of all reports/complaints shall be reported to the Superintendent. The Superintendent will determine if the policies of the District have been appropriately implemented and will make such reports and/or referrals to the Board as may be necessary.

All violations of this policy shall be treated in accord with the appropriate procedures and penalties provided for in District policies related to the conduct and discipline of students, staff, and others.

LEGAL REF.:

A.R.S.

[15-341](#)

[15-2301](#)

CROSS REF.:

[GBEB](#) - Staff Conduct

[JIC](#) - Student Conduct

[JII](#) - Student Concerns, Complaints and Grievances

[JK](#) - Student Discipline

[JKD](#) - Student Suspension

[JKE](#) - Student Expulsion

[JICF](#) - Secret Societies / Gang Activities

[KFA](#) - Public Conduct on School Property