Hazing

College Policy on Hazing

Students are advised that Massachusetts law expressly prohibits any form of hazing in connection with initiation into a student organization. The relevant statutes are provided below. The law applies to all student groups, whether or not officially recognized, and to practices conducted both on- and off-campus. All such student groups (including not only groups officially recognized by the College but also final clubs, fraternities, sororities, and the like) must provide the Office of Student Life with contact information for all undergraduate officers and must sign and return to the Office of Student Life the College’s non-hazing attestation form by September 30.

The term “hazing,” under Massachusetts law, means: “any conduct or method of initiation… which willfully or recklessly endangers the physical or mental health of any student or other person.” The definition specifically includes “whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or 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, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.” [Massachusetts General Laws, c. 269 § 17] Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action. The failure to report hazing also is illegal, under Massachusetts law.

Hazing is a crime punishable by fine and/or imprisonment. The Administrative Board of the College will consider all reports of hazing in the normal course of this oversight, taking disciplinary action in appropriate cases, and will report confirmed incidents to appropriate law enforcement officials. Where serious harm, or the potential for serious harm, has come to any person as a result of hazing by members of a student group, whether or not such group is officially recognized by the College (either on-campus or off-campus), and the individual or individuals directly responsible are not identified, the host or hosts of the event or activity will be held personally responsible. If the hosts are not identified, the officers of the organization will be held personally responsible. In considering such cases, the Administrative Board will apply the College’s amnesty policy (set forth within the section on Drugs and Alcohol, subsection “Disciplinary Action”), and also may consider as mitigating factors with respect to possible disciplinary action the efforts made by the hosts or officers to prevent the harmful or potentially harmful situation, as well as their cooperation with the College’s investigation of the situation. A memorandum detailing the specifics of this law is available in the Office of the Dean of Harvard College (617-495-1558).

Massachusetts Hazing Statute

Section 17. Whoever is a principal 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 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 wilfully 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, or 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, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent 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 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 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
Each institution of secondary education and each public or private institution of post secondary education shall file, at least annually, a report with the board 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 or similar means of communicating the institution’s policies to its students. The board of higher education 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.

[Massachusetts General Laws, c. 269 § 17, 18 and 19]