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**CENTER FOR APPLIED BEHAVIORAL INSTRUCTION (CABI)  
BOARD OF DIRECTOR'S ANTI-HAZING DISCIPLINARY POLICY**

Teaching Appropriate Behavior Through Skills-Building

Upon the Program Director or designee determining that hazing has occurred, the law requires that CABI use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 37O (d) (v). Skill-building approaches that the Program Director may consider include:

- Offering individualized skill-building sessions based on the school's/district's anti-hazing or anti-bullying curricula;
- Providing relevant educational activities for individual students or groups of students, in consultation with appropriate school personnel;
- Implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- Meeting with parents and guardians to engage parental support and to reinforce the anti-hazing or anti-bullying curricula and social skills building activities at home;
- Adopting behavior support plans to include a focus on developing specific social skills; and
- Making a referral for evaluation.

Taking Disciplinary Action

If the Program Director or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the Program Director or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Anti-Hazing or Bullying Intervention Plan and with the school's code of conduct.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the Program Director or designee determines that a student knowingly made a false allegation of hazing/bullying, or retaliation, that student may be subject to disciplinary action.

## Promoting Safety for the Target and Others

The Program Director, or designee, will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. One strategy that the Program Director, or designee, may use is to increase adult supervision at transition times and in locations where hazing or bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the Program Director or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the Program Director, or designee, will work with appropriate school staff to implement them immediately.

The Program Director of the Center for Applied Behavioral Instruction (CABI) will issue a copy of M.G.L. c. 269 §§ 17 through 19, to every student enrolled full-time, and every student group, student team, or student organization, including every unaffiliated student group, student team, or student organization, as well as a copy of CABI's anti-hazing disciplinary policy approved by the program's Board of Director's.

CABI will file a report with the Department on or before October 1st of each year certifying:

- a. Its compliance with its responsibility to inform student groups, teams, or organizations, and every full-time enrolled student, of the provisions of M.G.L. c. 269 §§ 17 through 19
- b. Its adoption of a disciplinary policy with regard to the organizers and participants of hazing; and
- c. That the hazing policy has been included in the student handbook or other means of communicating school program policies to students.

### **Section 17:**

**Hazing:** organizing or participating; hazing defined:

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, 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:** Failure to report hazing.

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:** Copy of Secs. 17 to 19; issuance to students and student groups, teams, and organizations; report

**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 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 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.

## **Parent & Student Handbook: Anti-Hazing Policy**

### **Purpose**

The purpose of this policy is to maintain a safe learning environment that is free from hazing for students. Hazing activities of any type are inconsistent with the educational goals of the Center for Applied Behavioral Instruction, CABI and are prohibited at all times.

### **General Statement of Policy**

No student, teacher, administrator or other Center for Applied Behavioral Instruction employee or volunteer shall plan, direct, encourage, aid, or engage in hazing.

No student, teacher, administrator or other Center for Applied Behavioral Instruction employee or volunteer shall permit, condone, or tolerate hazing.

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

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

This policy applies to hazing behavior that occurs on or off school property and during and after school hours.

The Center for Applied Behavioral Instruction will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator or other school district employee or volunteer who is found to have violated this policy.

### **Definitions**

Hazing 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; 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.

Non-School Affiliated Organization shall mean any group or organization that operates on the campus of a secondary school but is not under the authority of such school.

Secondary School shall mean any school, be it public or private, that has been designated or approved as a secondary school by the school committee.

### **Reporting Procedures**

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

The building principal is the person responsible for receiving reports of hazing at the building

level. Any person may report hazing directly to a school Administrator or Program Director.

Teachers, administrators, other school district employees as well as contractors and volunteer shall be particularly alert to possible situations, circumstances or events that 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 an Administrator or Program Director immediately.

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**

Upon receipt of a complaint or report of hazing, the Center for Applied Behavioral Instruction shall undertake or authorize an investigation by the Center for Applied Behavioral Instruction Administration, or a third party designated by CABI.

The Center for Applied Behavioral Instruction may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of hazing.

Upon completion of the investigation, the Center for Applied Behavioral Instruction will take appropriate action. Disciplinary consequences will be administered consistently.

### **Reprisal**

The Center for Applied Behavioral Instruction will take appropriate action against any student, teacher, administrator or other employee of the school, or any volunteer who retaliates against anyone who makes a good faith report of hazing, or who testifies, assists, or participates in an investigation or hearing about a hazing incident. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

### **Dissemination of Policy**

This policy shall appear in each school's handbook and disseminated to parents.

### **Board of Directors Approval**

The Board of Directors has reviewed and approved the Anti Hazing Policy submitted.