

CLIENT ALERT: AUGUST 18, 2010

**“BACK TO SCHOOL” REMINDER:
MASSACHUSETTS’ ANTI-HAZING LAW**

While gearing up for the start of the new school year, schools should be reminded of their obligations to comply with Massachusetts’ Anti-Hazing Law (M.G.L. c. 269, §§ 17, 18, & 19) (the “Anti-Hazing Law”). The Anti-Hazing Law applies to secondary schools, including public, private and charter schools (and including middle schools designated as secondary schools), and to post-secondary schools.

The Anti-Hazing Law imposes several affirmative obligations on schools, as follows:

- **Anti-Hazing Policies** – Develop and adopt an anti-hazing policy as part of the school’s disciplinary policy;
- **Notice of Anti-Hazing Law** – Distribute copies of the Anti-Hazing Law to all students and to all school-affiliated and non-school affiliated groups, teams and organizations. (A non-school affiliated organization is any group or organization that operates on the campus of the school but is not under the school’s authority.) A school will meet the notice requirement if it can show that the student handbook includes a copy of the Anti-Hazing Law and that all students receive a copy of the handbook;
- **Acknowledgment Forms** – Collect signed acknowledgement forms from all school-affiliated and non-school affiliated groups, teams and organizations attesting that a copy of the Anti-Hazing Law has been distributed to all of their members; and
- **Reporting Requirements** – Certify to the Department of Elementary and Secondary Education (DESE) on or before October 1 of each year that the school has:
 - adopted an anti-hazing disciplinary policy;
 - complied with its notice obligations to students and school-affiliated and non-school affiliated groups, teams and organizations; and
 - obtained acknowledgement of receipt forms from school-affiliated and non-school affiliated groups, teams and organizations.

Sections 17, 18, and 19 of the Anti-Hazing Law (M.G.L. c. 269, § § 17, 18, & 19) are accessible at: <http://www.mass.gov/legis/laws/mgl/gl-269-toc.htm>.

Please contact Elka Sachs (esachs@kb-law.com) or Paul Holtzman (pholtzman@kb-law.com) with any questions.