

ANTI-HAZING POLICY			
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Effective Date	October 11, 2022	Approved By	Mission and Strategy Team
Revised		Resp. Center	Student Safety

1 **I. Policy**

2 Milton Hershey School (the “School”) does not tolerate hazing in any form. The School believes
3 that hazing is contrary to its teaching of human dignity and contradicts an environment of
4 friendship, maturity, and charity within its School community. Anyone found responsible for
5 violating this Antihazing Policy (the “Policy”) may face disciplinary action from the School, and
6 may also face criminal charges under state law, including The Timothy J. Piazza Antihazing Law,
7 18 Pa. C.S. § 2801 *et seq.* (the “Antihazing Law”).

8 This Policy, and the School’s compliance with the Antihazing Law, does not supplant or mitigate
9 the School’s compliance with the Child Protective Services Law, 18 Pa.C.S. § 6301 *et seq.*,
10 including that law’s mandatory-reporting requirements, as set forth in the School’s Mandatory
11 Reporting of Child Abuse 5.03. The purpose of this document is to state the School’s Antihazing
12 Policy, identify how the School will enforce this Policy, and identify resources for reporting
13 violations of this Policy.

14 **II. Definitions**

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16 The Antihazing Law supplies the definitions of the terms set forth below. The terms “hazing,”
17 “aggravated hazing,” and “organizational hazing” are also defined by the Antihazing Law; those
18 definitions are set forth below in section V (Prohibited conduct).

- 19 • **Bodily injury:** Impairment of physical condition or substantial pain.
- 20 • **Drug:** A controlled substance or drug as defined in the act of April 14, 1972 (P.L. 233,
21 No. 64), known as The Controlled Substance, Drug, Device and Cosmetic Act.
- 22 • **Minor:** An individual younger than 18 years old.
- 23 • **Organization:** Any of the following, which is the definition under Pennsylvania law and
24 covers entities that may not be present at MHS:
 - 25 - A fraternity, sorority, association, corporation, order, society, corps, club or
26 service, social or similar group, whose members are primarily minors, students,
27 or alumni of the organization or secondary school.
 - 28 - A national or international organization with which a fraternity or sorority or
29 other organization as enumerated under the above paragraph is affiliated.
- 30 • **Serious bodily injury:** Bodily injury which creates a substantial risk of death, or which
31 causes serious, permanent disfigurement, or protracted loss or impairment of the function
32 of any bodily member or organ.
- 33 • **Student:** An individual who attends or has applied to attend or has been admitted to the
34 School.

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1 **III. Procedures**

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3 **A. Application and jurisdiction**

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5 This Policy applies to all students at the School and any School employee or volunteer
6 associated with a Student Organization (such as coaches, advisors, etc.). Students on a
7 leave of absence and persons who were students when they allegedly violated this Policy
8 are also included. This Policy also applies to recognized or unrecognized student
9 organizations, groups, or clubs, all athletic teams, (collectively, “Student Organizations”).

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11 This Policy applies to conduct regardless of location, including on and off the School’s
12 campus, and regardless of whether such conduct occurs as part of an approved or
13 recognized School activity or event.

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15 **B. Prohibited Conduct**

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17 The School adheres to Pennsylvania’s Antihazing Law, which defines hazing to include
18 hazing, aggravated hazing, and organizational hazing. Hazing, aggravated hazing, and
19 organizational hazing (defined below) are each prohibited by the School under this Policy.
20 **It is not a defense that the consent of the minor-victim or student-victim was sought**
21 **or obtained. It is also not a defense for any student that the conduct was sanctioned**
22 **or approved by a Student Organization.**

23
24 **C. Hazing**

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26 Intentionally, knowingly, or recklessly, for the purpose of initiating, admitting or affiliating
27 a minor or student into or with an organization, or for the purpose of continuing or
28 enhancing a minor or student’s membership or status in an organization, causes, coerces,
29 or forces a minor or student to do any of the items listed below in (1)-(6). Hazing does not
30 include “reasonable and customary” athletic, law enforcement, or military training,
31 contests, competitions, or events.

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33 1. Violate Federal or State criminal law, or the School’s Sacred Values Code of
34 Conduct or policies contained within the School’s Administrative Reference
35 Manual.
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37 2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects
38 the minor or student to a risk of emotional or physical harm.

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3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements.
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
5. Endure brutality of a sexual nature.
6. Endure any other activity that creates a reasonable likelihood of bodily injury to the minor or student.

For the purposes of this Policy, the terms “risk” and “brutality” are read broadly. Risk includes potential risks, however slight. Brutality includes any activity with a reasonable likelihood of endangering another person’s mental or physical health or safety (including without limitation those specific activities listed above in (3)-(5)).

D. Aggravated Hazing

Hazing that results in serious bodily injury or death to a minor or student; and where:

1. The person acts with reckless indifference to the health and safety of the minor or student; or
2. The person causes, coerces, or forces the consumption of an alcoholic liquid or drug by the minor or student.

E. Organizational Hazing

Hazing or Aggravated Hazing that an Organization intentionally, knowingly, or recklessly promotes or facilitates.

F. How to report violations of this Policy

The School encourages all members of the School community who believe that they have witnessed, experienced, or are aware of conduct that constitutes Hazing, Aggravated Hazing, or Organizational Hazing in violation of this Policy to report the violation as follows:

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- 1 • If the reporter is a student at MHS, report directly to their respective Head of School
- 2 Division or anonymously via LiveSafe App.
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- 4 • If the reporter is an employee of MHS, report directly to their supervisor and Human
- 5 Resource.

6 **G. Enforcement of this Policy**

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8 Any violation of this Policy by a student or Organization is a violation of the Sacred Values

9 Code of Conduct. All allegations of Hazing, Aggravated Hazing, or Organizational Hazing

10 involving a student or Organization will be addressed consistent with the Sacred Values

11 Code of Conduct and Parents/Sponsors Student Manual. Any violation of this Policy by

12 an employee or volunteer who is associated with a Student Organization is a violation of

13 the Policy 5.01 Employee Conduct, Expectations, and Responsibilities. All allegations of

14 Hazing, Aggravated Hazing, or Organizational Hazing involving an employee or volunteer

15 who is associated with an Organization shall be managed by the Department of Human

16 Resources.

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18 **H. Sanctions**

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20 Anyone found responsible for violating this Policy may face disciplinary action. Any

21 student found responsible for violating this Policy may be dismissed or issued any other

22 sanction(s) set forth in the Sacred Values Code of Conduct. Organizations may be placed

23 on probation or deferred suspension, lose privileges, lose School recognition, or issued any

24 other sanction(s) set forth in the Sacred Values Code of Conduct and or Polices within the

25 Administrative Reference Manual. Organizations may also face sanctions by School

26 departments under which they function. Employees found responsible for violating this

27 Policy may be subject to disciplinary action up to and including termination.

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29 Any sanctions the School issues in accordance with this Policy is independent of any

30 penalty imposed by the Commonwealth of Pennsylvania.

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32 **I. Safe Harbor Reporting**

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34 Any adult or student member or participant of an organization who comes forward to report

35 Hazing Conduct on behalf of themselves or others may receive due consideration regarding

36 sanctions and their involvement.