HOUSE DOCKET, NO. 2775 FILED ON: 1/20/2017

HOUSE . . . . . No. 2271

The Commonwealth of Massachusetts

PRESENTED BY:

***Diana DiZoglio*, (BY REQUEST)**

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to school hazing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Brian J. Coppola	*400 Merrimack Street, Methuen, MA 01844*	*1/20/2017*

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By Ms. DiZoglio of Methuen (by request), a petition (accompanied by bill, House, No. 2271) of Brian J. Coppola relative to the penalties for hazing by secondary or post secondary students residing in residential schools designated as handicapped housing. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1263* OF 2015-2016.]

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act relative to school hazing.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

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.

Section 17 shall be amended by inserting the following new paragraph to appear after the words “or both such fine and imprisonment, to read as follows:

Any student who attends either a secondary or post secondary residential school and who resides in designated handicapped housing as reserves by said residential secondary or residential post secondary school and who participates in the crime of hazing as defined in

M.G.L. Chapter 269 Section 17 shall be punished by a fine of no less than five thousand dollars ($5,000.00) or by imprisonment in state prison for no less than three (3) years, but, no more than five (5) years, or both said fine and imprisonment and in addition to said fine or imprisonment or both, shall be said to forfeit any scholarship funds, including, but, not limited to Massachusetts State Scholarship for the remainder of their education. Section 17 shall be further amended by inserting the following paragraph after the words, “for the remainder of their education the following new paragraph:

Any student who resides in designated handicapped housing, whether or not said school designated housing is located in a secondary school or a post secondary school, who participates in the crime of hazing, or bullying or any other acts which inflicts harm onto any disabled student otherwise entitled to live in said designated handicapped housing, by reason of disability, as a reasonable accommodation shall face automatic expulsion from said residential secondary or residential post secondary school and shall not be permitted to be a residential student into any secondary or post secondary school within the Commonwealth of Massachusetts, whether or not said secondary or post secondary school is a state residential school or a private residential school. Said students who are not in need of designated handicapped housing and wish to reside in said designated handicapped housing on school premises during the academic year, to which they do so, must attend a disability sensitivity training by the school’s office of housing and by the appropriate rehabilitation professionals so working in the disability field in a profession to which a disabled student will be occupying said designated handicapped housing one (1) month prior to move in to said designated handicapped housing with any disabled student, to whom the housing is reserved for as a “reasonable accommodation,” (sic…) at the time of said disability sensitivity training said non-disabled students so wishing to live in said designated handicapped

housing with said disabled student, to whom the housing is reserved for shall be handed a copy of this anti-hazing law by the school's housing office staff and also must sign said copy of such and said housing staff must inform said non-disabled student so residing in designated handicapped housing that:

1. Said student has the right to be relocated should they find that said living situation is not appropriate to suit the needs of the non-disabled student.

2. Said housing office must make the necessary room changes or housing changes for said non-disabled student within seventy-two (72) hours upon request and

3. Said non-disabled students can be relocated should the school have to place another disabled student into said reserved handicapped housing whether or not the disability of the student so being placed is temporary or permanent and

4. In the case that the school cannot find any space to relocate non-disabled students who have the means of transportation to consider becoming day students until space is made available to accommodate said non-disabled student that does not fit the criteria for the need of the use of reserved campus handicapped accessible housing.

M.G.L Chapter 269 section 17 shall be further amended by adding the following words to be included in the definition of hazing, thereof:

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 or deprivation of another student's personal privacy, in the case where said designated handicapped housing in a residential secondary or post secondary school, where such facility is being shared by one or more other student then the disabled student so permitted to reside in said residential designated handicapped housing on the campus of the aforementioned secondary or post secondary school as roommates. The same shall apply to any other secondary or post secondary dorms or cottage or apartment complex so owned and operated by said residential secondary or post secondary school.