

STONEHILL COLLEGE

Student Education Guide

Understanding Hazing Laws

Massachusetts State Law • Federal Law (Clery Act / Stop Campus Hazing Act)

Required reading for all Stonehill students

This guide explains hazing laws so you understand your rights, responsibilities, and the serious legal consequences of hazing. These laws apply to everyone regardless of whether you are an organizer, a participant, or a bystander.

PART 1: Massachusetts Anti-Hazing Law

What Is Hazing?

Under Massachusetts law (M.G.L. Chapter 269, Section 17), hazing is broadly defined as:

“Any conduct or method of initiation into any student organization, whether on public or private property, that willfully or recklessly endangers the physical or mental health of any student or other person.”

— M.G.L. ch. 269, § 17

Examples of Hazing

The law specifically lists the following types of conduct as examples of hazing. This list is not exhaustive, other actions can also qualify.

Physical Hazing	Mental / Emotional Hazing
• Whipping or beating • Branding • Forced physical exercise (calisthenics) • Forced exposure to harsh weather • Forced consumption of food, alcohol, drugs, or other substances • Any other brutal or forced physical activity likely to harm health or safety	• Conduct causing extreme mental stress • Extended deprivation of sleep or rest • Extended isolation

Who Does the Law Apply To?

The Massachusetts hazing law applies to student organizations, not to the College itself. This includes:

- Sports teams and athletic clubs
- Greek or similar organizations whether formal or informal (fraternities and sororities)
- Honor societies and academic clubs
- Any other student group, whether officially recognized or not

The law covers conduct that occurs on both public and private property, so off-campus events are not exempt.

Criminal Penalties

Hazing is a criminal offense in Massachusetts. Both organizers AND participants can face penalties.

Who is liable?	Any "principal organizer or participant" in hazing
Fine	Up to \$3,000
Imprisonment	Up to 1 year in a house of correction
Can face both?	Yes — a fine AND imprisonment may both be imposed

IMPORTANT: Consent Is NOT a Defense

Even if the person being hazed "agrees" to the activity or claims it was their choice, this does not protect you legally. The law explicitly states that consent is not a valid defense to hazing charges. If the conduct meets the legal definition of hazing, participation is still a crime, regardless of whether the other person seemed willing.

Practical Takeaway

Ask yourself: Does this initiation, pledge activity, or membership-related task create a real risk of physical harm, safety issues, or serious mental stress, including severe stress, sleep deprivation, or isolation? If the answer is yes, it likely meets the legal definition of hazing under Massachusetts law.

PART 2: Federal Law: The Clery Act & Stop Campus Hazing Act

What Is the Clery Act?

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (commonly called the "Clery Act") is a federal law (20 U.S.C. § 1092(f)) that requires colleges and universities receiving federal financial aid to:

- Collect statistics for certain reported crimes on and around campus.
- Disclose those crime statistics to the U.S. Department of Education.
- Make annual security reports available to students, employees, and the public.

What Does “Reported” Mean Under the Clery Act?

A crime is “reported” when it is brought to the attention of a campus security authority or local law enforcement personnel.

— Clery Act framework, 20 U.S.C. § 1092(f)

In other words, a hazing incident does not automatically enter the College’s crime statistics. It must be reported to the right people first.

Who Are “Campus Security Authorities”?

Campus Security Authorities (CSAs) are people designated by the College who have significant responsibility for student and campus activities. They include:

- Campus security or public safety officers
- Deans of students and other student affairs staff
- Coaches and athletic directors
- Advisors to student organizations
- Residence life and housing staff

Key Point: Reporting to a CSA Triggers Clery Act Obligations

When you tell a Campus Security Authority about a potential crime, including hazing, that information may count as a “reported crime” under the Clery Act, and the College must track and disclose it. You can also always report directly to local law enforcement.

The Stop Campus Hazing Act

The Stop Campus Hazing Act is a federal law that amends the Clery Act to address hazing on college campuses specifically. It was enacted on December 23, 2024.

This law adds hazing-related requirements to the existing Clery Act framework. While the full regulatory details continue to be implemented, the purpose of the Stop Campus Hazing Act is to:

- Require colleges to report hazing incidents as part of their annual security disclosures.
- Increase transparency about hazing on campus for students, families, and the public.
- Strengthen accountability for institutions receiving federal financial aid.

What This Means for Stonehill

As a college receiving federal financial aid, Stonehill College is subject to both the Clery Act and the Stop Campus Hazing Act. The College is required to track and disclose hazing-related incidents consistent with federal law and to maintain policies that reflect these obligations.

PART 3: What Receiving This Document Means

Why You Are Receiving This Guide

Massachusetts law (M.G.L. ch. 269, § 17) requires colleges like Stonehill to provide all students and student groups, including unaffiliated groups, with a copy of the state's anti-hazing law. Stonehill College is distributing this guide to comply with that requirement.

Important Clarification

Receiving this document does not mean that Stonehill College is recognizing or endorsing any particular student organization or unaffiliated group. Distribution of this guide is a legal compliance and educational measure for all students.

Quick Reference Summary

Topic	Key Point
Definition of Hazing	Initiation-related conduct in a student organization that willfully or recklessly endangers physical or mental health.
Location	Applies on AND off campus (public or private property).
Criminal Penalty	Up to \$3,000 fine and/or up to 1 year imprisonment. Applies to organizers AND participants.
Consent Defense	NOT a valid defense. Consent does not protect you from hazing charges.
Clery Act Reporting	Crimes are "reported" when disclosed to a Campus Security Authority or local law enforcement.
Stop Campus Hazing Act	Federal law (enacted Dec. 23, 2024) requiring colleges to disclose hazing incidents as part of Clery Act reporting.

Questions or Concerns?

Contact the Office of the General Counsel at 508-565-1404.

This document is for educational purposes. It is not legal advice.