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Hazing: What Ohio High School Teachers, Coaches and Administrators Need to Know

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Hazing: What Ohio High School Teachers, Coaches, and Administrators Need to Know

Hazing incidents have garnered a great deal of media attention recently as the number of incidents and consequences have increased both at the collegiate and high school level (Hoover, 1999; Hoover & Pollard, 2000; Dixon, 2001; Gershel, Katz-Sidlow, Small, & Zandieh, 2003). Once thought to be primarily an issue of concern for university fraternities and sororities, a disturbing trend has occurred in recent years with an increase in the number of incidents involving high school student athletes. Several well-publicized incidents in Illinois, New York and, Georgia vividly portray the consequences of hazing incidents at the high school level.

In May of 2003, during the Glenbrook North High School powder puff football game in Illinois, the annual game between the seniors and juniors escalated into a brutal hazing incident exacerbated by underage alcohol consumption. Five female students were taken to the hospital after the seniors began hitting, punching, and throwing debris at the juniors (O'Donnell, 2003). *Sports Illustrated* published a special report on the brutal hazing incident at Mepham High School in Long Island, New York in which several jayvee football players were sexually assaulted by upper-class teammates at a preseason camp (Wahl & Wertheim, 2003). Recently, an article in *USA Today* reported an incident in which a high school assistant football coach in Georgia participated in the branding of football players with a hot paper clip ("Georgia coach resigns," 2006). These incidents demonstrate that high school coaches, athletic administrators, and teachers must understand that the seemingly harmless initiation rites of sport teams can sometimes spiral out of control with grave legal and financial consequences for not only student athletes but school officials as well.

The purposes of this article are to: (a) define hazing and review the history of anti-hazing legislation in the United States of America; (b) describe hazing laws in the State of Ohio; (c)

review current research related to hazing specifically at the high school level; and, (d) discuss proactive strategies coaches, administrators, students, teachers, parents, and, the community can use to prevent the harmful practices of hazing.

Anti-Hazing Legislation

Hazing is generally defined as “any activity expected of someone joining a group that humiliates, degrades, abuses or endangers, regardless of the person’s willingness to participate” (Hoover, 1999, p. 8). The following list identifies potential hazing activities: (a) requiring additional workouts for certain members; (b) requiring only certain members to be responsible for equipment; (c) isolating newcomers from the rest of the team; (d) physical abuse of new members; (e) making new members stay awake for excess periods of time; and, (f) coercing newcomers to binge drink (StopHazing, 2005). When distinguishing between appropriate initiation rites and hazing the key point to keep in mind is whether the activity is humiliating, abusive, and/or dangerous to participants. Also, hazing can be distinguished from bullying and hate crimes in that hazing generally involves humiliating or abusive activities meant to initiate an individual into an existing group – such as, a sport team, club, school band, church group, fraternity or sorority – while bullying and hate crimes involve verbal and/or physical harassment as a means of keeping “unwanted” others out of a group.

Currently there is no federal anti-hazing legislation resulting in a patchwork of hazing laws that vary widely from state to state. For example, some state laws distinguish between hazing based on physical abuse alone while others take into account physical and emotional abuse. Also, most states with anti-hazing laws consider hazing a misdemeanor, and penalties differ from state to state. Students charged as minors are often tried in juvenile court and may

receive community service as a punishment depending on the seriousness of the hazing incident. Students over 18 years old could spend 30 days in jail and receive a \$500 fine if convicted of assault.

Presently 44 states have enacted some type of anti-hazing legislation although, as previously noted, these state laws vary widely. For instance, a few states require the notification of authorities if hazing is observed. Other state laws require hazing policies to be disseminated at public schools. Twenty-one states, including Ohio, specify that the willingness of the victim or consent, express or implied, is not a defense. Six states, Alaska, Hawaii, Montana, New Mexico, South Dakota, and Wyoming are currently without anti-hazing laws.

In addition to inconsistencies in anti-hazing statutes from state to state, “the enforceability of these laws is sometimes hampered by their overbroad language that makes them vulnerable to Constitutional challenges as violative [violations] of freedom of expression and association” (Ball, 2004, p. 483). The overbroad language contained in these statutes is a result of the difficulty in defining exactly what constitutes hazing. Thus, anti-hazing advocates argue that federal legislation is needed to clearly define hazing, to resolve the inconsistencies in state laws, and to encourage more prosecutors to proceed with criminal prosecutions of hazing as a means of deterring those who engage in these harmful activities (Pelletier, 2002).

Despite the confusion over what constitutes hazing, it is important for students and school officials to be aware that recent hazing cases have suggested that courts are becoming more likely to impose civil liability for school-related hazing incidents, whether or not the incident occurs on school property. The Glenbrook North High School (IL) students involved in the powder puff football game off school property were expelled and 16 of the students were convicted of misdemeanor battery or alcohol charges. Civil liability has most commonly been

imposed on school officials under several legal theories: (a) “in loco parentis” which claims that the school’s duty is a result of their position “in place of the parents,” thus establishing a responsibility on the school to ensure the welfare of its students; and, (b) negligent supervision which “occurs when a school’s failure to properly train or supervise a student leads to a foreseeable injury to another student” (Rosner & Crow, 2002, p. 294).

A victim’s ability to demonstrate negligent supervision and foreseeability on the part of school officials is often based on whether notice of hazing is required. Notice occurs when a school official is directly notified of an event or there is a history or tradition of these incidents. Additionally, Rosner and Crow (2002) argue that the publication of several studies on the prevalence of hazing associated with high school clubs and athletics (Hoover & Pollard, 2000; Gershel, et al., 2003) provide adequate notice to school officials of the potential for student athletes to engage in hazing.

Ohio Hazing Law

This section focuses on the legal definition of hazing according to the Ohio Revised Code as well as the legal duties and responsibilities of school officials under the State of Ohio anti-hazing legislation. Awareness of these duties and responsibilities will provide school officials with guidelines for instituting appropriate policies regarding hazing for all extracurricular clubs, athletic teams, and activities. School officials in Ohio must be aware of state law regarding hazing and take proactive steps to prevent these incidents from occurring on their campuses. Of particular note for coaches and athletic administrators is the fact that both the National Collegiate Athletic Association (NCAA) and Ohio High School Athletic Association (OHSAA) have taken

steps to educate their members regarding the potentially harmful effects of hazing by posting anti-hazing information and resources on their websites.

According to Section 2903.31 of the Ohio Revised Code, hazing is defined as “doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person.” In Ohio, a civil lawsuit may be brought against anyone participating in the hazing activity as well as any school administrator, teacher or staff member “who knew or reasonably should have know of the hazing and who did not make reasonable efforts to prevent it” (Edelman, 2004, p. 26). Schools are not protected by sovereign immunity if a school administrator, employee, or teacher is found liable in a civil action of hazing. In addition, as mentioned previously, consent of the victim and assumption of risk are not viable defenses under the state of Ohio statute.

The Ohio anti-hazing legislation does, however, recognize the active enforcement of an anti-hazing policy as an affirmative defense for schools. This is a key consideration for those schools that currently do not have an anti-hazing policy in place. In fact, an anti-hazing policy should be instituted as part of an overall risk management plan. In discussing the potential impact a hazing incident can have on a school and its students, Edelman (2004) argues “if risk management practices are not improved nationally, hazing incidents similar to those that occurred at Mephram High School will eventually repeat throughout the country” (p. 23). One way for school officials to increase their awareness of hazing and to convince staff members, students, and the community of the need for an anti-hazing policy is to examine current research on hazing.

Research on Hazing

Until recently researchers focused their efforts on understanding hazing at the collegiate level. Since hazing is generally perceived of as an activity that occurs in the context of fraternity and sorority initiation rites less attention has been directed at examining the prevalence of hazing at the high school level. Recent reports and studies have dispelled this misconception though as an increasing number of hazing incidents have taken place in the context of athletic teams (Hoover, 1999; Hoover & Pollard, 2000; Farrey, 2000; Gershel, et al., 2003). In addition, it is becoming increasingly apparent that while college hazing has shown signs of decreasing, high school incidents and the number of students affected may be increasing. Alfred University (2000) researchers "...project more than 1.5 million high school students in the United States are being subjected to some form of hazing each year" (p. 6). This trend is especially troubling since students who have been hazed in high school may be more likely to tolerate hazing in college and "...they are more likely to engage in more dangerous activities to outdo their high school experiences" ("Why High School Hazing," 2003, p. 1).

In response to a hazing incident on their own campus, Alfred University researchers conducted a groundbreaking study in 1999, with the cooperation of the NCAA, to examine hazing activities among NCAA intercollegiate athletic teams. These researchers were the first to examine the incidents and ramifications of hazing on sport teams. This study has generated the most extensive data on hazing practices to date. After surveying a random sample of 10,000 students from 224 NCAA institutions, the researchers found that almost 80% of the 2,027 respondents were subjected to *questionable* (i.e., humiliating or degrading), *alcohol-related* or *unacceptable* (i.e., those that endangered the participant) activities as part of their initiation to a team (Hoover, 1999).

The study's authors also investigated the knowledge coaches, athletic directors, and academic deans had about hazing. A small percentage (10%) of coaches knew about hazing incidents on their campus and less than 10% of coaches and administrators (i.e., athletic directors and senior student affairs officers) were aware of the use of alcohol during team initiation rites (Hoover, 1999). Additionally, the researchers found that coaches and athletic directors felt hazing was more of a problem for fraternities and sororities rather than athletic teams. This perception is reflected in the fact that 60% of the student athletes revealed that they would not report an incident of hazing and almost half (48%) of those students responded they would not do so because "[hazing] is not a problem" (Hoover, 1999, p. 15).

One of the most significant findings of the study is that hazing incidents are not isolated to colleges and universities. According to Hoover (1999) "of those athletes who reported they were hazed in college, 42 percent reported that they had also been hazed in high school and 5 percent said they were hazed in middle school" (p. 13). A follow-up study conducted by Hoover and Pollard (2000) on high school hazing found that nearly half of the high school students had been victims of hazing. Additionally, Gershel et al. (2003) in a study of 1,105 suburban middle and high school athletes found that 13.3% of the sixth graders reported being involved in hazing initiations.

Perhaps the most alarming finding of the Alfred University high school study was that approximately one-third of the respondents reported performing illegal or potentially illegal acts, including substance abuse, as part of hazing (Hoover & Pollard, 2000). Among high school students, although female students were as likely to engage in hazing activities as males, male students were more likely to engage in dangerous hazing which was defined as "hurtful, aggressive, destructive, and disruptive behaviors" (Hoover & Pollard, 2000, p. 4). Further,

students with lower grade point averages, and students who knew adults who had been hazed were more likely to experience hazing.

Notably, although the initial Alfred University study conducted by Hoover (1999) indicated that hazing among college athletes was less prevalent in states with anti-hazing statutes, this factor was not significantly related to high school hazing. Only 43% of the high school students surveyed thought hazing was illegal (Hoover & Pollard, 2000, p. 13). These results suggest that the enactment of anti-hazing statutes is not enough to prevent hazing among high school students. Instead, Dixon (2001) and others have suggested that high school students need to be educated about hazing and the physical as well as emotional consequences of these behaviors to prevent occurrences of hazing.

Proactive Anti-Hazing Strategies

The Alfred University studies conducted by Hoover and her colleagues (1999, 2000) as well as various newspaper accounts demonstrate that hazing is an unfortunate and often dangerous occurrence for some student athletes. Many students believe that hazing is a necessary and socially acceptable rite of passage. “According to psychologists, hazing perpetuates through a vicious cycle....older members demand subservience because they believe it will help them to restore their own dignity, which they themselves lost as victims of hazing incidents” (Edelman, 2004, p. 19). However, harming a teammate does not encourage teamwork or act as a motivator toward achieving common team goals. School officials need to send a clear message that hazing practices undermine team unity and take proactive steps to prevent these practices from occurring on or off their school grounds.

The Alfred University study conducted by Hoover and Pollard (2000) recommends that school officials, teachers, coaches, and peers should inform student athletes about all forms of hazing and be clear that hazing is wrong and illegal. Athletes must know who is approachable for questions or how to report incidents of hazing. Students need to be aware that school officials, coaches, teachers, and other responsible adults are willing to assist them in finding alternative activities.

The researchers also recommend that institutions establish clear anti-hazing policies and penalties, and, expect and require responsibility and civility from athletes, coaches, and administrators. In addition, an effective anti-hazing policy can be created with the input and involvement of students. The policy should include: (a) the purpose of the policy; (b) definition of hazing; (c) procedures for reporting a hazing incident; (d) follow-up procedures once a report has been filed including who will conduct an investigation of the complaint and appropriate disciplinary actions taken at the conclusion of the investigation; and, (e) steps school officials will take to prevent retaliation against those who report hazing incidents (“A model policy,” 2003).

The researchers of both the high school and college reports also strongly suggest that positive team-building initiations be established with adult supervision. Particularly in high school, these initiation rites should advance team bonding as well as providing an element of risk and accomplishment, offering safe but real challenges to the participants. A variety of resources are available to assist coaches and athletic administrators to increase their awareness of hazing practices and to find positive ways for teams to bond and welcome newcomers. The NCAA has taken an active role in publicizing the need to deter hazing at the collegiate level by sponsoring several research studies and a National Hazing Prevention Week that occurs annually in

September (McKindra, 2006). The National Federation of State High School Associations' (NFHS) *Interscholastic Athletic Administration* magazine has included articles on hazing prevention and information on the internet at <Stophazing.org> suggest a variety of ways, such as team dinners, attending team summer camps, or team campouts, to build team unity and avoiding hazing.

A few additional examples of team building experiences include studying the history and tradition of a school and team as well as inviting former student athletes to speak to current students about the importance of positive initiation rites. Ropes course programs, when conducted by knowledgeable facilitators, can be fun and challenging activities that build self-confidence, trust, communication, and leadership skills. Coaches and student athletes can undertake community service projects to build team camaraderie. These community service projects could be modeled after those undertaken by college or professional teams – food drives, tutoring programs, hospital visits, and youth sport clinics – or done in conjunction with the community relations departments of area college and professional teams.

Hazing is an unfortunate aspect of team sports both at the collegiate and high school levels and can cause serious legal concerns for students, parents, teachers, coaches, and school administrators. School officials are responsible for creating an awareness of state laws regarding hazing, informing athletes of anti-hazing practices, and implementing strategies for students to report hazing incidents. Education, risk management practices, and the willingness of coaches and other school officials to assist student athletes to create positive initiation rites are the key elements to a successful anti-hazing policy. Appendix A provides a list of resources that high schools can use to begin educating coaches, athletic administrators, teachers, students, parents, and the community about hazing.

Appendix A

Anti-Hazing Resources for School Administrators, Teachers, and Coaches

Internet Resources

- *Alfred University's Initiation Rites in American High Schools: A National Survey*
http://www.alfred.edu/hs_hazing/
- *Alfred University National Survey of Sports Teams*
http://www.alfred.edu/sports_hazing/index.html
- *Al Roker investigates the horrors of hazing*
http://www.courttv.com/choices/al_roker_hazing/video.html?sect=2
- *Campus Speak – National Hazing Prevention Week*
<http://www.nhpw.com>
- *Education World*
http://www.education-world.com/a_issues/issues123.shtml
- *ESPN Outside the Lines – Rites and Wrongs: Hazing in Sports*
<http://espn.go.com/otl/hazing/monday.html>
- *Hazing Law*
<http://www.hazinglaw.com/violentcast.htm>
- *Mothers Against School Hazing*
<http://www.mashinc.org/index.html>
- *Ohio High School Athletic Association (OHSAA)*
<http://www.ohsaa.org/RTG/Resources/hazing/hazing.htm>
- *Stop Hazing – State Laws*
<http://www.stophazing.org/laws.html>

Books

- Nuwer, H. (2000). *High school hazing: When rites become wrongs*. New York: Franklin Watts
- Nuwer, H. (2004). *The hazing reader: Examining rites gone wrong in fraternities, professional & amateur athletics, high schools and the military*. Bloomington, IN: Indiana University Press.
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Wahl, G. & Wertheim, J. (2003). A rite gone terribly wrong. *Sports Illustrated*, 99 (24), 68-77.

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