

## Students

### Student Hazing Prohibition

#### I. Purpose

This policy establishes the parameters for a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district. The district maintains a learning environment that nourishes respect for the individual. Hazing activities of any type are prohibited at all times. Hazing, by its very nature, often occurs on or off school property, during and after school, on nonschool days, and during summer months. Students are advised that hazing is prohibited whenever and wherever it occurs.

#### II. General Statement of Policy

- A. No student, teacher, administrator, volunteer, contractor or other employee of the school district will plan, direct, encourage, aid or engage in hazing.
- B. No teacher, administrator, volunteer, contractor or other employee of the district will permit, condone or tolerate hazing.
- C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employees are prohibited.
- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing, or who permits, condones, or tolerates hazing, will be subject to discipline or other remedial responses for that act in accordance with the district's policies and procedures.
  - Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions to disciplinary actions.
  - Consequences for employees who permit, condone, or tolerate hazing or engage in an act of reprisal or intentional false reporting of hazing may result in disciplinary action up to and including termination or discharge.
  - Consequences for other individuals engaging in prohibited acts of hazing may include, but are not limited to, exclusion from district property and events, and/or termination of services and/or contracts.

- G. This policy applies to hazing that occurs during and beyond school hours, on or off school premises or property, at school functions or activities, or on school transportation.
- H. A person or persons who engage(s) in an act that violates school policy or law in order to be initiated into or affiliated with a student organization will be subject to discipline for that act.
- I. The district will act to investigate all complaints of hazing, and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor or other employee of the district who is found to have violated this policy.

### III. Definitions

- A. "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other school-related purpose. The term hazing includes but is not limited to:
  - 1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking or placing a harmful substance on the body.
  - 2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
  - 3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
  - 4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
  - 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
- B. "Immediately" means as soon as possible but in no event longer than 24 hours.
- C. "On school premises or school district property, or at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted

vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

- D. "Remedial response" means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.
- E. "Student" means a student enrolled in a public school or a charter school.
- F. "Student organization" means a group, club or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

#### IV. Reporting Procedures

- A. Any person who believes he or she has been the target or victim of hazing, or any person with knowledge or belief of conduct which may constitute hazing, will report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report hazing anonymously. However, the district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The building principal is the person responsible for receiving reports of hazing at the building level. Any adult district personnel who receives a report of hazing prohibited by this policy will immediately inform the building principal or report taker. Any person may report hazing directly to a district human rights officer or the superintendent.
- C. Teachers, administrators, volunteers, contractors and other employees of the district will be particularly alert to possible situations, circumstances or events which might include hazing. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct which may constitute hazing, will make reasonable efforts to address and resolve hazing and will immediately inform the building principal. District personnel who fail to inform the building principal or report taker of conduct that may constitute hazing, or who fail to make reasonable efforts to address and resolve hazing in a timely manner, may be subject to disciplinary action.
- D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.

## V. School District Action

- A. Within three (3) days of the receipt of a complaint or report of hazing, the school district will undertake or authorize an investigation by district officials or a third party designated by the district.
- B. The building report taker or other appropriate district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or others, pending completion of an investigation of alleged hazing prohibited by this policy.
- C. Upon completion of an investigation that determines hazing has occurred, the district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, discharge, or loss of privileges and/or leadership positions. Disciplinary consequences will be sufficiently severe to try to deter violations and appropriately discipline for the prohibited behavior. District action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements, applicable statutory authority - including the Minnesota Pupil Fair Dismissal Act - and applicable district policies and regulations.

The superintendent, in consultation with the building principal, may modify the participation in or conclude a specific school activity, organization, club or team when the investigation determines such action is warranted.

- D. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students involved in a hazing incident and who are targets or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law, based on a confirmed report.
- E. In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district will , where determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in hazing.

## VI. Retaliation or Reprisal

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor or other employee of the district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged hazing or who provides information about hazing, who testifies, assists, or participates in an investigation of alleged

hazing, or who testifies, assists or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct will be tailored to the particular incident and nature of the conduct.

## VII. Dissemination of Policy

This policy will be included in the district handbooks.

### Legal References:

Minn. Stat. § 121A.031 (School Student Bullying Policy)

Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents Under the Safe and Supportive Minnesota Schools Act)

Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)

Minn. Stat. § 121A.69 (Hazing Policy)

### Cross References:

Policy 403 (Discipline, Suspension and Dismissal of School District Employees)

Policy 413 (Harassment and Violence)

Policy 506 (Student Discipline)

Policy 514 (Bullying Prohibition)

### Policy

adopted: 2/25/08

amended: 2/21/12

revised: 12/15/14

revised: 9/25/17

INDEPENDENT SCHOOL DISTRICT 273

Edina, Minnesota

**DISCRIMINATION, HARASSMENT, BULLYING, HAZING AND VIOLENCE REPORT FORM**

Edina Public Schools maintains policies prohibiting discrimination, harassment, bullying, hazing and violence. These policies can be found on the district's website or obtained from a district administrator. Please use this form to report incidents of discrimination, harassment, bullying, hazing or violence. All persons are to be treated with respect and dignity.

Person completing report: \_\_\_\_\_

Home address: \_\_\_\_\_

Work address: \_\_\_\_\_

Home phone: \_\_\_\_\_ Work phone: \_\_\_\_\_

Date of alleged incident(s): \_\_\_\_\_

Basis of Alleged Harassment/Violence - circle as appropriate: race \ color \ creed \ religion \ national origin \ sex \ gender \ age \ marital status \ familial status \ status with regard to public assistance \ sexual orientation \ disability

Name of person(s) you believe harassed, bullied or was violent toward you or another person.

\_\_\_\_\_

If the alleged harassment or violence was toward another person(s), identify that person(s).

\_\_\_\_\_

Where and when did the incident(s) occur? \_\_\_\_\_

\_\_\_\_\_

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used; any verbal statements (i.e., threats, requests, demands, etc.); what, if any, physical contact was involved; etc. (Attach additional pages if necessary.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

List any witnesses that were present. \_\_\_\_\_

\_\_\_\_\_

This complaint is filed based on my honest belief that \_\_\_\_\_ has harassed or has been violent to me or to another person or group. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.

Signature: \_\_\_\_\_ Date \_\_\_\_\_

Received by: \_\_\_\_\_ Date \_\_\_\_\_

Please submit to the building principal or designee, or director of human resources, as indicated by the policy(ies).