

RICHFIELD PUBLIC SCHOOLS

HAZING PROHIBITION

I. PURPOSE

The purpose of this policy is to maintain 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 Richfield Public Schools and are prohibited at all times.

II. GENERAL STATEMENT OF POLICY

- A. No student, teacher, administrator, volunteer, contractor or other employee of the District shall plan, direct, encourage, aid or engage in hazing.
- B. No teacher, administrator, volunteer, contractor or other employee of the District shall 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. A person who engages in an act of hazing, reprisal, retaliation, or permits, condones, or tolerates hazing shall 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 up to and including suspension and/or expulsion.

Consequences for employees who permit, condone, or tolerate hazing or engage in an act of reprisal 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 not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

- F. This policy applies to hazing that occurs during and after school hours, on or off District premises or property, at school functions or activities, or on school transportation.
- G. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
- H. 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 an official or unofficial student organization, or for any other purpose. The term hazing includes, but is not limited to:
 - 1. Any type of physical brutality.
 - 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 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 students 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 District policies or regulations.
- B. "Immediately" means as soon as possible but in no event longer than 24 hours.

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2 C. "On school premises or District property, or at school functions or
3 activities, or on school transportation" means all District buildings,
4 school grounds, and school property or property immediately
5 adjacent to school grounds, school bus stops, school buses, school
6 vehicles, school contracted vehicles, or any other vehicles
7 approved for District purposes, the area of entrance or departure
8 from school grounds, premises, or events, and all school-related
9 functions, school-sponsored activities, events, or trips. District
10 property also may mean a student's walking route to or from school
11 for purposes of attending school or school-related functions,
12 activities, or events. While prohibiting hazing at these locations and
13 events, the District does not represent that it will provide
14 supervision or assume liability at these locations and events.
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16 D. "Remedial response" means a measure to stop and correct hazing,
17 prevent hazing from recurring, and protect, support, and intervene
18 on behalf of a student who is the target or victim of hazing.
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20 E. "Student" means a student enrolled in a public school or a charter
21 school.
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23 F. "Student organization" means a group, club, or organization having
24 students as its primary members or participants. It includes grade
25 levels, classes, teams, activities, or particular school events. A
26 student organization does not have to be an official school
27 organization to come within the terms of this definition.
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29 **IV. REPORTING PROCEDURES**
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- 31 A. Any person who believes they have been the target or victim of hazing
32 or any person with knowledge or belief of conduct which may
33 constitute hazing shall report the alleged acts immediately to a
34 member of the District management team. A person may report hazing
35 anonymously. However, the District may not rely solely on an
36 anonymous report to determine discipline or other remedial responses.
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39 B. The District encourages the reporting party to provide written
40 reports but oral reports shall be considered complaints as well.
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42 The building administrator or designee is the person responsible for
43 investigating reports of hazing at the building level. Any District staff
44 member who receives a report of hazing prohibited by this policy
45 shall inform the building administrator immediately. Any person may
46 report hazing directly to the superintendent. If the complaint
47 involves the building administrator, the complaint shall be made or

1 filed directly with the superintendent by the reporting party or
2 complainant.
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4 The building administrator shall ensure that this policy and its
5 procedures, practices, consequences, and sanctions are fairly and
6 fully implemented and shall serve as a primary contact on policy
7 and procedural matters.
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9 C. A teacher, administrator, volunteer, contractor, or other school
10 employee shall be particularly alert to possible situations,
11 circumstances, or events which might include hazing. Any such
12 person who witnesses, observes, receives a report of, or has other
13 knowledge or belief of conduct which may constitute hazing shall
14 make reasonable efforts to address and resolve the hazing and
15 shall inform the building administrator immediately. District staff
16 members who fail to inform the building administrator of conduct
17 that may constitute hazing or who fail to make reasonable efforts to
18 address and resolve the hazing in a timely manner may be subject
19 to disciplinary action.
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21 D. Submission of a good faith complaint or report of hazing will not
22 affect the complainant or reporter's future employment, grades,
23 work assignments, or educational or work environment.
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25 E. Reports of hazing are classified as private educational and/or
26 personnel data and/or confidential investigative data and will not be
27 disclosed except as permitted by law. The building administrator, in
28 conjunction with the responsible authority, shall be responsible for
29 keeping and regulating access to any report of hazing and the
30 record of any resulting investigation.
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32 F. The District will respect the privacy of the complainant(s), the
33 individual(s) against whom the complaint is filed, and the witnesses
34 as much as possible, consistent with the District's legal obligations
35 to investigate, to take appropriate action, and to comply with any
36 discovery or disclosure obligations.
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38 **V. SCHOOL DISTRICT ACTION**

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40 A. Within three (3) days of the receipt of a complaint or report of
41 hazing, the District shall undertake or authorize an investigation by
42 District officials or a third party designated by the District.
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44 B. The building administrator or other appropriate District officials may
45 take immediate steps, at their discretion, to protect the target or
46 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. The alleged perpetrator of the hazing shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. 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, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline 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.
- E. The 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 District. School officials will notify the parent(s) or guardian(s) of students 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.
- F. In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district shall, 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 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, 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, harassment, or intentional disparate treatment. 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 shall be tailored to the particular incident and nature of the conduct.

VII. DISSEMINATION OF POLICY

Notification of the policy shall appear in the student handbook or other District publications.

Legal References:

Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. § 121A.40 to 121A.56 (Pupil Fair Dismissal Act)
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)

Cross References:

Board Policy 103: Harassment Prohibition and Administrative Guideline 103.2
Board Policy 541: Student Behavior and Administrative Guideline 541.1

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