

District Name
Date Adopted by School Board
Date Revised

Minnesota Department of Education Model Hazing Prohibition Policy

In accordance with Minnesota Statutes, section 121A.69, Subdivision 2, the Minnesota Department of Education is making this model policy on student or staff hazing available for school districts and charter schools to assist them in adopting a written policy governing student or staff hazing.

As set forth in Minnesota Statutes, section 121A.69, Subdivision 3, each school board shall adopt a written policy governing student or staff hazing.

The purpose of this model policy is to provide a template for school districts' individual policies that will help maintain a positive, safe learning and working environment for students and staff that is free from hazing. The model policy begins below:

I. PURPOSE

Hazing activities of any type, including initiation into an athletic team, are inconsistent with the educational goals of the school district/charter school [district] and are prohibited at all times. Hazing is about abuse of power and violation of human dignity. Hazing is a form of abuse and victimization.

II. POLICY STATEMENT

- 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. This includes being aware that hazing has occurred in the past and not making clear to students that it is no longer acceptable behavior and will lead to disciplinary action. For example, if a school has a tradition of hazing new members of an athletic team, the staff members involved in that athletic team and school administration must make it clear to the current and new team members that hazing is not acceptable behavior and students involved in hazing will be suspended or expelled/ excluded from school.
- C. Students or school staff/volunteers/contractors involved in hazing will be disciplined even if the student being hazed appears to give permission or consent to be hazed.
- D. Students or school staff/volunteers/contractors involved in hazing will be disciplined for hazing that occurs on or off school property and during, before, or after the school day. This includes weekends and other non-school days.
- E. Students or staff involved in the hazing of students will be disciplined as described in this hazing policy. If a student being hazed violates a separate provision of the district's discipline policy while

being hazed, that student may be disciplined for violating that provision of the district's discipline policy.

- F. The [insert name/position of person who will be in charge of the investigation] will investigate all complaints or reports of hazing and will discipline any student, teacher, administrator, volunteer, contractor, or other employee of the district who is found to have been involved in the hazing of one or more students.

III. DEFINITIONS

- A. "Hazing" is defined in Minnesota Statutes, section 121A.69, Subdivision 1(a) as "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."
- B. Hazing includes any activity that humiliates, degrades, or risks emotional and/or physical harm, regardless of the person's willingness to participate. As set forth at www.stophazing.org, students in middle and high school are particularly vulnerable to peer pressure due to their need to belong, make friends, and find approval in a particular peer group.
- C. The term "hazing" includes but is not limited to:
1. Any type of physical brutality such as striking, paddling with a board, branding, electric shocking, sexual contact, or placing a harmful substance on a student's body.
 2. Any type of physical activity such as sleep deprivation, restrictions on personal hygiene, exposure to weather, confinement in a restricted area, public nudity, being forced to wear embarrassing or humiliating attire in public, calisthenics, personal servitude, 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, tobacco, controlled substance (prescription medication not belonging to the student, synthetic or illegal drug), product or 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 or that adversely affects the mental health or dignity of the student or discourages the student from remaining in school. This may include verbal abuse, such as yelling, swearing, and insulting the student.
 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of a school district/charter school policy or a school regulation. This includes abuse or mistreatment of animals, public nudity, and theft.
- D. "Student Organization" as defined in Minnesota Statutes, section 121A.69, Subdivision 1(b) "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. Hazing, as part of initiation into an athletic team or any other student organization, will not be tolerated. A student organization may include an unofficial school organization.

- E. The hazing policy applies to hazing that occurs before, during, or after school hours and on or off school premises. This includes weekends and nonschool days.

IV. REPORTING PROCEDURES

- A. As set forth in Minnesota Statutes, section 121A.69, Subdivision 3, a district's hazing policy must include reporting procedures that enable students to report hazing and disciplinary consequences for violating the district's hazing policy.
- B. Any student who believes he or she has been the victim of hazing, or any student or district staff person who has personally observed or has knowledge or belief that a student has been hazed, shall report the possible hazing immediately to [Insert name/title of the school district official who will investigate the hazing]. That person can be contacted in person, by email [insert email], or by telephone [insert telephone number].
- C. The [insert school administrator title] is responsible for receiving and investigating reports of hazing at the building level. Any person may report hazing directly to the district human rights officer, district superintendent, or school board. [Insert contact information for the district human rights officer, superintendent, and school board.]
- D. School staff/contractors/volunteers or other employees of the district shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any person who receives a report of, observes, or has other knowledge or belief of conduct which may constitute hazing shall inform the [insert school administrator title] immediately.
- E. A student or school staff member who makes a good faith report of possible hazing will not face negative consequences, such as future employment, grades, or work assignments.

V. SCHOOL DISTRICT ACTION

- A. When hazing is reported, the [insert administrator title responsible for conducting the investigation], must either personally investigate the hazing report, or authorize a third party designated by the district to investigate the hazing report. The district must ensure that the investigation begins within two school days of receipt of a hazing report or complaint.
- B. The school district may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of hazing.
- C. Upon completion of an investigation, the district will take appropriate action against students/staff that planned, directed, encouraged, aided, or engaged in hazing. District action taken for violation of this policy will be consistent with the requirements of the applicable bargaining agreements, applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act, and other district policies and regulations.
- D. As required by Minnesota Statutes, section 121A.69, Subdivision 3, disciplinary consequences must be sufficiently severe to deter hazing and to appropriately discipline prohibited behavior.
 - 1. For students involved in hazing, discipline may include, but is not limited to, removal from the athletic team or other school team activity, out of school suspension, exclusion, or expulsion.

2. For school staff/volunteer/contractors or other district employees involved in hazing, discipline may include, but is not limited to, written reprimand, suspension, termination, or discharge.
3. In addition, the district may also offer students/staff involved in the hazing incident the opportunity to participate in a face-to-face meeting with affected parties of the hazing with the intent to repair the harm caused by the hazing, to make amends, and to make a plan to work with athletic and extracurricular coaches to prevent future incidents of hazing and encourage a welcoming approach for incoming members to the athletic or extracurricular team/activity.

VI. RETALIATION

The district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the district who retaliates against any person who:

- a. makes a good faith report of alleged hazing; or
- b. testifies, assists, or participates in an investigation or a proceeding or hearing relating to a hazing incident.

Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

VII. DISSEMINATION OF POLICY – How Students and Staff are Notified of the Hazing Policy

As required by Minnesota Statutes, section 121A.69, Subdivision 3, the district's hazing policy will be printed in the student handbook on school policies. The district hazing policy will also be included in the district's student discipline policy manual, and in the administrative policy manual.

In addition, the policy will be published so that parents and other community members can read and be educated about the district's/charter school's hazing policy. This will include communication of the hazing policy to parents and students at all student organization orientation meetings and in the written communication sent home with a student participant.

Each district's athletic director or other person responsible for athletics in the district must include in coaches' training a review of the hazing policy and stress that any hazing of new members of an athletic team is not acceptable and will result in serious disciplinary action. The athletic director will also discuss with the coaches how to create a welcoming approach for new team members.

The district must ensure that all coaches or teacher representatives of other teams, clubs, and student organizations, such as speech, debate, math, drama, student council, etc., receive training on the district's hazing policy and stress that any hazing of new members of teams or clubs is not acceptable and will result in serious disciplinary action.

Prior to the beginning of each school year, the district will review its bullying prevention, health promotion, social sciences, and other social skills curricula to ensure that education regarding hazing is included.

At the beginning of each school year when the student handbook is provided to students, students will be informed of the hazing policy either in advisory classes, school-wide assemblies, or another mode of oral communication to emphasize that hazing is not allowed and will be punished severely. The oral communication will go over the definition of hazing and give examples.

At the end of each school year and during the initial practices prior to or at the beginning of the school year, the coach of each athletic team will review the hazing policy with the current and new team members and stress that regardless of tradition, hazing is prohibited and will lead to serious disciplinary action.

LEGAL REFERENCES AND RESOURCES:

Minnesota Statutes, section 121A.69

www.stophazing.org

High School Hazing, by Hank Nuwer (Watts, March 2000).