

Note: School districts are required by statute to have a policy addressing these issues. Minnesota Department of Education will maintain and make available Model Policy 526 – Hazing Prohibition in accordance with Minn. Stat. § 121A.69.

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 NWSISD and are prohibited at all times.

II. GENERAL STATEMENT OF POLICY

- A. No NWSISD student, staff, volunteer, or contractor shall plan, direct, encourage, aid or engage in hazing.
- B. No NWSISD staff 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. This policy applies to behavior that occurs during and after NWSISD programs or activities.
- E. A person who engages in an act that violates NWSISD policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
- F. NWSISD will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, staff, volunteer or contractor who is found to have violated this policy.
- G. NWSISD staff will report any incidents of hazing involving students to the home school districts of both the student, who is the subject of the hazing, and the student(s) reported to be doing the hazing. The students' home school district(s) shall be responsible for investigating the report of hazing if the alleged hazing is related to activities occurring within or sponsored by the students' home school district. If the alleged hazing is related to a NWSISD program or activity, the NWSISD human rights officer shall investigate the incident.

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 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 their home school district or NWSISD programs or activities.
 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or NWSISD policies or regulations.
- B. "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 educational events. A student organization does not have to be an official home school district or NWSISD organization to come within the terms of this definition.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to NWSISD's human rights officer or the appropriate staff from their home school district.
- B. NWSISD program or activity staff are responsible for receiving reports of hazing. Any person may report hazing directly to the district's human rights officer or its Executive Director.
- C. NWSISD staff, volunteers and contractors shall be particularly alert to possible situations, circumstances or events, which might include hazing. Any such person who receives a report of, observes, or has other knowledge or belief of conduct, which may constitute hazing, shall immediately inform the Executive Director or her/his designee.
- D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, work assignments or participation in NWSISD programs and activities.

- E. Reports of hazing are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

V. NWSISD ACTION

- A. Upon receipt of a complaint or report of hazing related to activities occurring within a student's home school district, NWSISD shall immediately forward it to the home school district(s) of the students alleged to have perpetrated the hazing. Upon receipt of a complaint or report of hazing occurring at a NWSISD program or activity, the NWSISD human rights officer shall begin an investigation.
- B. NWSISD 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 the investigation, NWSISD 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 deter violations and to appropriately discipline prohibited behavior. NWSISD 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, school district policies, and regulations.
- D. NWSISD 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 the remedial action taken, to the extent permitted by law, based on a confirmed report

VI. REPRISAL

NWSISD will discipline or take appropriate action against any student, staff, volunteer or contractor who retaliates against any person who makes a good faith report of alleged hazing or against any person who testifies, assists, or participates in an investigation, or against any person 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, or intentional disparate treatment.

VII. DISSEMINATION OF POLICY

- A. This policy shall appear in NWSISD's student and staff handbooks.
- B. NWSISD will develop a method of discussing this policy with staff and students.

Legal References: Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. § 121A.40 to 121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.0695 (School Board Policy; Prohibiting Intimidation and Bullying)

Cross Reference: NWSISD Policy 403 (Discipline, Suspension and Dismissal of NWSISD Staff)
NWSISD Policy 413 (Harassment and Violence)
NWSISD Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
NWSISD Policy 525 (Violence Prevention - Applicable to Students and Staff)

Adopted: March 19, 2003
Revised: December 14, 2010