

Adopted: September 16, 2010  
Revised: April 23, 2014

## **BLUESKY CHARTER SCHOOL POLICY No. 5.4.3 ANTI-HAZING**

*[NOTE: This policy largely replicates the Model Policy which has been developed by the Minnesota Department of Education and made available to schools pursuant to Minn. Stat. §121A.69.]*

### **I. PURPOSE**

Hazing activities of any type, including initiation into an athletic team, are inconsistent with the educational goals of BlueSky Charter School 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**

It is the policy of BlueSky Charter School to create policies that identify and prevent hazing practices to the fullest extent possible.

### **III. POLICY**

- A. No student, teacher, administrator, volunteer, contractor, or other employee of BlueSky Charter School shall plan, direct, encourage, aid or engage in hazing.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school 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 consents or appears to give permission or consent to being hazed.

*This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.*

- 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.
- F. BlueSky Charter School's Executive Director will investigate all complaints or reports of hazing and will discipline any student, teacher, administrator, volunteer, contractor, or other employee of the school who is found to have been involved in the hazing of one or more students.

#### **IV. DEFINITIONS**

- A. "Hazing" is defined in Minn. Stat. §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](http://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.

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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 charter school policy or a school regulation. This includes, but is not limited to, abuse or mistreatment of animals, public nudity, and theft.
- D. “Student Organization” as defined in Minn. Stat. §121A.69, subd. 1(b) “means a group, club, or organization having students as its primary members or participants.” It includes all 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 non-school days.

## **V. REPORTING PROCEDURES**

- A. As set forth in Minn. Stat. §121A.69, subd. 3, school’s hazing policy must include reporting procedures that enable students to report hazing and disciplinary consequences for violating the school’s hazing policy.
- B. Any student who believes he or she has been the victim of hazing, or any student or staff person who has personally observed or has knowledge or belief that a student has been hazed, shall report the possible hazing immediately to BlueSky Charter School’s Executive Director or Principal. That person can be contacted in person, by email, or by telephone.
- C. The Executive Director or Principal is responsible for receiving and investigating reports of hazing at the building level. Any person may report hazing directly to BlueSky Charter School’s:
  1. Human Rights Officer (Human Resources Specialist)
  2. Executive Director
  3. School Board

- D. School staff/contractors/volunteers or other employees of the school 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 Executive Director or Principal 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.

## **VI. SCHOOL ACTION**

- A. When hazing is reported, the Executive Director, must either personally investigate the hazing report, or authorize a third party designated by the school to investigate the hazing report. BlueSky Charter School must ensure that the investigation begins within 5 school days of receipt of a hazing report or complaint.
- B. The school 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 school will take appropriate action against students/staff that planned, directed, encouraged, aided, or engaged in hazing. School action taken for violation of this policy will be consistent with applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act, and other school policies and regulations.
- D. As required by Minn. Stat. §121A.69, subd. 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 school employees involved in hazing, discipline may include, but is not limited to, written reprimand, suspension, termination, or discharge.
  - 3. In addition, BlueSky Charter School 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.

## **VII. RETALIATION**

- A. The school 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:
  - 1. Makes a good faith report of alleged hazing; or
  - 2. Testifies, assists, or participates in an investigation or a proceeding or hearing relating to a hazing incident.
- B. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

## **VIII. DISSEMINATION OF POLICY – HOW STUDENTS AND STAFF ARE NOTIFIED OF THE HAZING POLICY**

- A. As required by Minn. Stat. §121A.69, subd. 3, the school’s hazing policy will be printed in the student handbook on school policies.
- B. In addition, the policy will be published on the school’s website so that parents and other community members can read and be educated about the school’s hazing policy.

***Legal References:*** Minn. Stat. §124D.10 (Charter School Law)  
Minn. Stat. §121A.69 (Hazing Policy legislation)  
Minn. Stat. §§121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. §120B.232 (Character Development Education)