



Adopted: April 21, 2004

EMID 6067 Board Policy 526

Revised: December 15, 2010; January, 2015; February 17, 2016

526 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 EMID's educational goals and are prohibited at all times.

II. GENERAL STATEMENT OF POLICY

- A. No student, administrator, volunteer, contractor or other employee of EMID shall plan, direct, encourage, aid or engage in hazing.
- B. No administrator, volunteer, contractor or other employee of EMID 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 on or off EMID program locations before, during, and after EMID events.
- E. A person who engages in an act that violates EMID policy or law in order to be initiated into or affiliated with a student group shall be subject to discipline for that act.
- F. EMID will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, administrator, volunteer, contractor or other employee 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 group, 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 the program.
 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of EMID policies or regulations.
- B. “Student group” means a club or organization having students as its primary members or participants. A student group does not have to be an official EMID 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 an appropriate district official designated by this policy.
- B. The program supervisor (hereinafter program report-taker) is the person responsible for receiving reports of hazing at the program level. Any person may report hazing directly to the Executive Director. If the complaint involves the report-taker, the complaint shall be made or filed directly with the Executive Director by the reporting party or complainant.
- C. Administrators, volunteers, contractors and other employees of EMID 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 inform the report-taker immediately. District personnel who fail to inform the report taker of conduct that may constitute 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, program participation, or work assignments.



- 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. EMID 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 EMID's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

V. ACTION

- A. Upon receipt of a complaint or report of hazing, EMID shall undertake or authorize an investigation by district officials or a third party designated by EMID.
- B. EMID 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, EMID will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion from programs, termination or discharge. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline prohibited behavior. EMID action taken for violation of this policy will be consistent with the requirements of applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act, EMID policies and regulations.
- D. EMID is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of EMID. EMID 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

EMID will discipline or take appropriate action against any student, administrator, volunteer, contractor or other employee 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, harassment, or intentional disparate treatment.

VII. DISSEMINATION OF POLICY

- A. This policy shall be referenced in the student behavior guidelines and in the staff employment practices documents.
- B. EMID will develop a method of discussing this policy with students and employees.

Legal References: Minn. Stat. § 121A.0695 (School Board Policy; Prohibiting Intimidation and Bullying)



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

Minn. Stat. § 121A.69 (Hazing Policy)

Cross References:

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

EMID Policy 413 (Harassment and Violence)

EMID Policy 506 (Student Discipline)

EMID Policy 514 (Bullying Prohibition Policy)

EMID Policy 525 (Violence Prevention [Applicable to Students and Staff])