

POLICY NUMBER	214
SECTION	Students
TITLE	Anti-Hazing
ADOPTED	August 5, 2016
Amended	June 9, 2022

PURPOSE AND DECLARATION OF POLICY

The Freire Charter School (Charter School) Board stands firmly against hazing. Hazing is contrary to the mission and vision of the Charter School, negatively affects the Charter School's culture and environment, and can be damaging to the Charter School community and/or its reputation.

In all of its forms, hazing is prohibited at the Charter School and in certain instances may constitute a crime. The Board directs that complaints of hazing shall be investigated promptly, and that corrective action be taken when allegations are substantiated.

DEFINITIONS

Hazing means intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a student with an organization, or for the purpose of continuing or enhancing membership or status in an organization, causes, coerces or forces a person to do any of the following:

1. Violate federal or state criminal law.
2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm.
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements.
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
5. Endure brutality of a sexual nature.

6. Endure any other activity that creates a reasonable likelihood of bodily injury to the student.

Aggravated hazing means an act of hazing that results in serious bodily injury or death to the student and:

1. The person acts with reckless indifference to the health and safety of the student; or
2. The person causes, coerces or forces the consumption of an alcoholic liquid or drug by the student.

Organizational hazing occurs when an organization intentionally, knowingly or recklessly promotes or facilitates hazing.

Any activity, as described above, shall be deemed a violation of this policy regardless of whether:

1. The consent of the student was sought or obtained, or
2. The conduct was sanctioned or approved by the Charter School or organization.

Student activity or organization means any activity, society, corps, team, club or service, social or similar group, operating under the sanction of or recognized as an organization by the Charter School, whose members are primarily students or alumni of the organization.

Bodily Injury – means impairment of physical condition or substantial pain.

Serious bodily injury – means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

DELEGATION OF RESPONSIBILITY

The Head of School or designee shall be responsible for:

1. Addressing allegations of hazing pursuant to this policy, the Charter School's Code of Conduct and/or other Board policies, as may be applicable.
2. Receiving reports/complaints of hazing and arranging for their prompt investigation.
3. Referring allegations of hazing which may constitute Title IX sexual harassment to the Title IX Coordinator for prompt investigation.
4. Referring allegations of hazing to law enforcement consistent with any Memorandum of Understanding (MOU) with local police.
5. Providing students, parents/guardians, volunteers, all athletic coaches, and Charter School employees a copy of this policy.
6. Informing students, parents/guardians, volunteers, and Charter School employees, through publication of information related to this policy in student handbook(s) and on the Charter School's public website, and by instructing teachers, coaches, and volunteers to remind students of this policy at the beginning of each athletic season.

7. Maintaining a report of all violations of the school's anti-hazing policy on the its website, and ensuring that it is updated each January 1 and August 1 of each year.

GUIDELINES

Students who believe they have been subject to hazing are strongly encouraged to report the incident(s) to the Head of School, counselor, nurse, teacher, coach, or other trusted adult. Reports may be made on reporting/complaint forms developed by the Head of School for that purpose.

Upon receipt of reports/complaints of hazing, the Head of School or designee shall determine what, if any, interim measures should be put in place to protect students from further hazing, bullying, discrimination or retaliatory conduct relate to the alleged incident and report. Measures may include but are not limited to: suspension of any adult(s) involved, separation of alleged victims and perpetrators, or "no contact" orders.

Confidentiality of all parties, witnesses, the allegations, the filing of a report/complaint and the investigation shall be handled in accordance with applicable law, this policy, and the Charter School's legal and investigative obligations.

In the course of an investigation of alleged hazing pursuant to this policy, if potential incidences of sexual harassment are identified, the Title IX Coordinator shall be notified immediately. Any complaints or allegations made under this policy which could be construed as complaints of sexual harassment shall be handled in accordance with the applicable Board policy (e.g., Policy #116 – Title IX Sexual Harassment).

Retaliation relating to reports of hazing or participation in an investigation of allegations of hazing is prohibited and shall be subject to disciplinary action.

Safe Harbor

Subject to the criteria and limitations set forth in Act 80 of 2018, individuals or need or who seek out medical attention for others shall be immune from criminal prosecution for crimes of hazing.

The Board encourages all Charter School students who observe individuals in need or medical attention or who are in imminent danger to immediately call 911 or make a report to a school authority.

Disciplinary Action and Penalties

Where allegations of hazing are substantiated through an investigation, the Head of School or designee may impose discipline upon the student, student(s), or organization(s) found to have engaged in prohibited conduct.

Students found to have engaged in hazing may be subject to discipline up to and including expulsion from the Charter School, subject to the procedures in the Code of Conduct.

In addition to the procedures and consequences set forth in the Code of Conduct, where a student is found to have engaged in act(s) violating this policy, the Head of School or designee may prescribe that the student attend training, counseling, or other remedial programs. The Board authorizes the Head of School or designee to withhold school privileges (e.g. attendance at graduation or other school-sanctioned events), diplomas, and/or transcripts, pending the student's compliance with school rules or satisfactory completion of any remedial program.

Organizations found to have authorized or sanctioned hazing in blatant disregard for school rules may be penalized at the discretion of the Head of School. Penalties may include rescission of permission for that organization to operate on campus or other school property, or to otherwise operate under the sanction or recognition of the Charter School.

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