

POLICY NUMBER	214
SECTION	Students
TITLE	Anti-Hazing
ADOPTED	9/22/2022
AMENDED	

### **PURPOSE AND DECLARATION OF POLICY**

The Freire Charter School Wilmington (the “Charter School”) 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, pursuant to 14 *Del. C.* § 9303, is a crime. The Charter School Board (the “Board”) directs that complaints of Hazing shall be investigated promptly, and that corrective action be taken when allegations are substantiated.

### **DEFINITIONS**

**Hazing** means, regardless of whether it occurred on or off Charter School property, any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student or which wilfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the sanction of or recognized as an organization by an institution of higher learning. The term shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual, or any wilful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition upon which the admission or initiation into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be presumed to be “forced” activity, the willingness of an individual to participate in such activity notwithstanding.

### **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 (as defined in Policy 117-118) 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; and
7. Maintaining a report of all violations of this Policy on the Charter School's public website.

## **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, available here: [\[LINK\]](#).

Upon receipt of reports/complaints of Hazing, the Head of School or designee shall determine what, if any, measures should be put in place to protect students from further Hazing, bullying, discrimination, or retaliatory conduct related to the alleged incident and/or report. Measures may include, but are not limited to: suspension of any adult(s) involved, separation of alleged victims and perpetrators, and "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 (as defined in Policy #117-118 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 #117-18

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

## Athletics

The function of coaches is to educate students through participation in interscholastic athletics. Interscholastic programs at the Charter School are designed to enhance academic achievement and not interfere with opportunities for academic success. Each student shall be treated with the utmost respect and their welfare should be considered in decisions by coaches at all times. Therefore, coaches shall enforce Charter School policies regarding bullying, Hazing, and taunting (including this Policy) and never tolerate any of those actions by team members or others.

Participants in interscholastic athletics shall refrain from participating in or encouraging acts of bullying, Hazing, and taunting.

Officials at interscholastic athletic events are participants in the educational development of Charter School students. As such, they must exercise a high level of self-discipline, independence and responsibility. Therefore, officials shall refrain from participating in or encouraging the acts of bullying, Hazing, and taunting.

## Disciplinary Action and Penalties

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

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 and this Policy.

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 their designee may prescribe that the student attend training, counseling, or other remedial programs. The Board authorizes the Head of School or their designee to withhold Charter School privileges (e.g., attendance at graduation or other school-sanctioned events), diplomas, and/or transcripts, pending the student's compliance with Charter School rules or satisfactory completion of any remedial program.

Organizations found to have authorized or sanctioned Hazing in blatant disregard for Charter 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.