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DANGEROUS GAMES: STUDENT HAZING AND NEGLIGENT SUPERVISION

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Daniel B. Weddle [a]

Introduction:

On a Sunday in early May 2003, students from Glenbrook North High School near Chicago attended an annual off–campus "powder puff" football game, where someone videotaped several senior girls "hazing" junior girls in front of scores of Glenbrook students, alumni, and others. [1] The brutality captured on that videotape would be shown for days by news stations around the world. The senior girls "punched, slapped and dumped paint, feces and trash" on the junior girls.[2] Five girls went to the hospital as a result, one with a broken ankle and another requiring stitches in her head.[3]

As a result, 31 seniors were suspended and later expelled.[4] In return for signing agreements to accept the school's disciplinary actions, 28 were allowed to complete coursework and receive their diplomas.[5]

Two of the girls who initially refused to sign the agreement, Liat Gendelman and Taylor Wessel, filed a complaint in federal court to force the board to vacate their suspensions and then moved for a temporary restraining order (TRO) against the board's disciplinary action.[6] The court denied the motion, holding that the students were unlikely to prevail on the merits, that they would not suffer irreparable harm from a ten–day suspension, and that the public interest would not be served by the granting of the TRO.[7]

In its discussion, however, the court noted something that should make schools sit up and take notice: "It was asserted that these 'powder puff' events have been a staple at Glenbrook North for years and that school officials, well aware of the events taking place, have never lifted a finger to prevent them, punish anyone for participating in them, or otherwise concluding [sic] that they constituted improper acts of harassment or hazing." [8]

In schools whose reactions to known hazing are so cavalier as Glenbrook North's, the students may not be the only ones playing a dangerous game. [9] Schools that turn a blind eye to hazing [FN10] may find themselves answering to the victims in front of courts and juries perfectly willing to impose liability on schools for failure to properly supervise their students. That the injuries took place off campus during non–school hours may be of no consequence if those schools knew that such hazing was occurring and did nothing to stop it.

Potential School Liability for Negligent Supervision:

For years, some state courts have been willing to hold schools accountable for hazing injuries under a theory of negligent supervision. Outside the hazing context, a claim of negligent supervision will seldom help a plaintiff who has been injured by another student because courts are hesitant to hold school officials liable for the unanticipated tortious acts of third parties. [11] First, courts are usually unwilling to conclude that school officials should be required to foresee the criminal or tortious acts of third parties; therefore, no duty exists.[12] Second, even if a lack of supervision may arguably be the cause of the plaintiff's injuries, the intentional tortious act of the third party is typically viewed as an intervening or superseding cause that breaks the causal chain between the school's failure to supervise and the injury sustained by the plaintiff. [13]

With regard to hazing, however, some courts are more willing to view such injuries as foreseeable and preventable, particularly if there has been a history of hazing in groups connected to the school. Where there is knowledge of hazing activities, the power to control students' involvement in them, and a sufficient nexus between the activities and the school, these courts see a duty on the part of the school to take reasonable steps to protect students from hazing. Because hazing and the resulting injuries are foreseeable, the fact that the actual hazing came at the hands of students does not preclude a finding that the school's failure to properly supervise students was the proximate cause of the injuries.

A Duty to Protect Students From Hazing:

High school officials who believe they cannot be held responsible for what happens during non–school hours, when students are in their parents' care, should think again. Courts have been willing to attach liability even to post–secondary institutions, where the students, unlike their high school counterparts, are adults who ostensibly can take care of themselves. In *Morrison v. Kappa Alpha Psi Fraternity*, [14] for example, a Louisiana court of appeals held that even though the university's students were adults, who could normally protect their own interests, the school had a duty to monitor the behavior of a fraternity known by the university to be engaging in hazing and other illegal conduct. [15] Adopting the reasoning of the trial court's denial of summary judgment for the defendant university, the court explained that "because of the prior knowledge and serious nature of hazing, social policy justifie[d] a special relationship between the University and its students" that created a duty on the part of the school to protect the plaintiff from hazing. [16]

Similarly, in *Furek v. The University of Delaware*, [17] the Delaware Supreme Court held that, despite the demise of the doctrine of *in loco parentis* with respect to colleges, "where there is direct university involvement in, and knowledge of, certain dangerous practices of its students, the university cannot abandon its residual duty of control." [18] Even the university itself must have perceived some responsibility for controlling hazing because it had issued a directive stating that hazing "would 'not be tolerated either on or off campus.' " [19] Nevertheless, hazing had "continued unabated on an annual basis." [20] In fact, groups of students had been observed marching through the campus with paddles, yet nothing was done to stop them; and one group of students sneaking around in dark clothes at night had even been stopped by security guards and then let go when they explained that they were engaged in a pledging prank. [21]

The *Furek* court relied, in part, on the Restatement of Torts (Second) § 323 to find a duty on the part of the university. [22] The section " 'applies to any undertakings to render services to another which the defendant should recognize as necessary for the protection of the other person' and the harm from negligence in 'performance of the undertaking or from failure to exercise reasonable care to complete it or to protect the other when he discontinues it.' " [23] Because the university knew of the hazing activities on its campus and had communicated its willingness to discipline groups involved in those activities, the plaintiff student was justified in relying on the school's assumption of a duty to protect students from hazing. [24] The court reasoned that the duty to protect against hazing was " 'an indispensable part of the bundle of services which colleges ... afford their students.' " [25] In other words, part of what attracts students to particular schools is promises of safety and security; students are therefore justified in relying on the schools to take reasonable precautions against even the tortious or criminal conduct of third parties. [26]

In large measure, courts that find a duty to protect against hazing do so because schools are often in a better position than students to foresee the dangers of hazing and to prevent them. These courts recognize that initiates often underestimate the severity of the hazing they will encounter. As the *Morrison* court points out, " '[T]he pledging process to join a fraternal organization is not an activity which an adult college student would regard as hazardous.' " [27] Nevertheless, once the hazing has begun, the students may find themselves subject to a brutality they had not anticipated. [28]

In addition, say these courts, the pressure that students feel to submit to hazing contributes to their vulnerability. Even a college student, who would normally be " 'considered an adult capable of protecting his or her own interest,' " [29] may nevertheless be "willing to submit to physical and psychological pain, ridicule and humiliation in exchange for social acceptance which comes with membership in a fraternity." [30]

It should not be surprising, then, that courts are also willing to hold high schools liable for hazing injuries where school officials have known about the practices and have had the power to stop them. For example, in an early high school hazing case, *Chappel v. Franklin Pierce School District, No. 402*, [31] the Washington Supreme Court held that because a high school had known that hazing was an ongoing tradition in one of its school clubs, the school could be held liable for a hazing injury even though the injury took place off–campus.

There had been an "unwritten rule" at the school that any initiation ceremonies would be held on the school campus and would not include hazing. [32] In reality, however, the Key Club had for years conducted off–campus initiations that included hazing; and the initiations "had been so carried on with the knowledge, approval, and supervision of the faculty advisor, and without objection by the school administration or school district authorities." [33] James Chappel was injured at one of these off–campus initiations when he jumped blindfolded from a raised platform, thinking he was jumping into a swimming pool; instead he dropped three feet down an incline and broke his ankle. [34] The faculty advisor had helped plan the event but had not attended the ceremony. [35]

In implicitly finding a duty on the part of the school to protect the plaintiff, the court pointed out that the advisor had overseen previous initiations, helped plan the one that injured the plaintiff, and knew of the students' plans to use the "leap trick," as well as a "swat line," as part of the ceremony. [36] In light of such knowledge, "[P]hysical injuries," said the court, "are foreseeable when unsupervised student initiation ceremonies involve physical ordeal on the part of the initiates." [37]

Fifteen years later, in *Rupp v. Bryant*, [38] the Florida Supreme Court reached a similar conclusion where a high school student was severely injured in an off–campus hazing incident. The school had sponsored the club and had assigned a faculty advisor, but the incident took place at a student's home during a meeting not attended by the advisor. [39] The advisor had failed to attend an initial meeting where the plan to haze initiates was first concocted. [40] He later found out about the plan but nevertheless did not attend the initiation or take any action to stop it. [41] In addition, the school knew that the particular club had a reputation for violating school board rules and required close monitoring. [42] As a result, the court held that the school had a duty to control the initiation meeting regardless of whether it occurred on campus or off. [43]

Relying in part on *Chappel*, [44] the court imposed a duty on the school based on the " 'sum total of those considerations of policy which lead the law to say that the particular plaintiff is entitled to protection.' " [45] Balancing the student's interest in avoiding injuries, the school's interest in avoiding unrealistic burdens of supervision, the control exhibited by the school, and

the societal benefits of service clubs, the court concluded that a duty to supervise was legitimate and not unduly burdensome. [46]

Because schools are not normally charged with supervising students outside the school day and outside the school premises, there must also exist a sufficient nexus between the hazing and the school itself before a duty can arise. That nexus may exist, however, where the school has exerted control over the group doing the hazing and where the school knows the hazing is occurring, even if the hazing is occurring off campus.

In *Chappel*, the court found a nexus between the school and the off–campus hazing based both on the control exercised by the school and the overall cultural and educational value of the club. [47] The defendant school had premised a motion to dismiss on the theory that the off–campus hazing itself “was beyond the scope of its supervisory authority and control” and had no legitimate educational or cultural link to the school. [48] In rejecting the defendant's motion, the court first listed the numerous ways in which the school had exerted supervisory control over the club and its initiations. [49] The court explained that, in addition to the educational and cultural link between the club's normal activities and the mission of the school, “the nexus between an assertion of the school district's authority and potential tort liability springs from the exercise or assumption of control and supervision over the organization and its activities by appropriate agents of the school district.” [50] Therefore, the district could not claim the absence of a nexus simply because, “standing alone, the initiation rite had no educational or cultural value.” [51]

Importantly, however, in *Rupp*, the Florida Supreme Court seemed to treat control as an independent basis for finding a duty: where there is a right to enforce rules, there is a correlative duty to protect. [52] The court found that the school had significant control over the club's activities in that the principal had to approve all off–campus club activities and that school regulations specifically forbade hazing by clubs and other organizations. [53] The court's approach is significant because it either requires no separate demonstration of a nexus between the school and the club or assumes such a nexus is demonstrated by the control itself.

Therefore, where a school is aware of hazing activities involving its students–even if those activities occur off–campus–the school may be held to have a duty to exercise its power to prevent those activities. If the courts are willing to impose a duty of protection on universities, whose students are ostensibly responsible adults, what the nation–witnessed happening at the Glenbrook North powder puff game may make imposing that duty on high schools even easier.

Failure to Supervise as a Proximate Cause of Hazing Injuries:

Once a duty is recognized, a failure to supervise must be the proximate cause of the injury before liability can lie against the school. Torts or criminal actions by third persons are generally viewed as intervening or superseding causes that break the causal chain between a failure to supervise and an injury to a student. Those courts that view hazing injuries as foreseeable, however, hold that the causal chain remains unbroken despite the actions of the participants.

The *Rupp* court held, for example, that “a lack of deportment in unsupervised students is to be expected” and that “rough–housing or hazing at a high school club initiation is behavior which is not so extraordinary as to break the chain of causation between the school's failure to supervise and the injury to the student.” [54] Interestingly, the school had argued that the teacher's absence itself broke the chain of causation because he had attended neither the initial meeting in which the hazing was planned nor the meeting in which it took place. [55] The court responded that, in fact, the teacher knew of the plans and that, in any case, his “self–induced ignorance

[could] hardly support the lack of proximate cause between the school's failure to supervise and the consequent injuries.” [56]

Similarly, the *Morrison* court concluded that the university's failure to monitor was a cause–in–fact of the plaintiff's injuries because the failure was a “precipitating or contributing factor that made it possible for [the student] to be physically hazed.... ” [57] In addition, the failure was a legal cause because injuries that resulted from the hazing were “clearly within the scope of protection contemplated by imposition” of a duty to monitor and prevent hazing activities. [58]

Critical to all of these cases was the schools' knowledge that hazing had been occurring among their students and the schools' power to control that behavior. In each, the school, whether it was a high school or a college, had exercised supervisory control and then had failed in that control despite knowing that the students were engaged in hazing. That the actual hazing in some cases did not occur on campus was ultimately irrelevant because the schools could still have taken steps to prevent the activities.

Implications for High Schools:

Significantly, the *Glenbrook* court itself also explicitly recognized a duty upon the part of Glenbrook High School to protect its students from the hazing that had been occurring at the powder puff games. In response to the plaintiffs' assertion that the school had no authority to discipline the students for participation in an off–campus event not sponsored by the school, the court stated that “[t]he school has a right, *and a duty*, to retard the growth of incivility among its students.” [59]

In recognizing that right and that duty, the court noted that the school handbook prohibited hazing “district wide,” and the prohibition was “not limited to school sponsored events.” [60] The court also recognized a nexus between the event and the school and noted the “fundamental relationship that all of the participants had to the school.” [61] Given those facts and the “egregious nature of some of the conduct depicted in the videotapes,” the court reasoned that “to hold that a school was powerless to act is patently absurd.” [62] Therefore, the school had a right and a duty to intervene because “[w]hen one set of students sets to prey upon another set of students in a ritualistic exercise, the consequences of which will necessarily effect [sic] the students' relationships while they are all in attendance at the some [sic] school, the ability of school officials to act in the area and discipline those who went beyond the pale of tolerable student behavior is manifest.” [63]

What is “manifest” to a court should be equally obvious to a school: simply sending the hazing off campus is no real solution. In jurisdictions where immunity for hazing is not so sweeping as that in Illinois, [64] high schools should recognize that hazing among their students, even if conducted off–campus and during non–school hours, may be a source of liability for the school itself. Vivid depictions of brutal hazing such as those taken during the Glenbrook incident are likely to increase the public outcry against hazing and to result in a demand that schools take serious steps to end such activities.

Judges and jury members watch television, too; and the Glenbrook images and other stories of similar events may make courts and juries more and more willing to force schools to answer for students' injuries from hazing rituals. Any remaining hesitancy of some courts to impose liability on schools for hazing injuries may begin to evaporate in a world where teenage girls are beaten and smeared with feces while their peers look on and laugh.

Recommendations:

At the outset, all schools should have anti–hazing policies in place and should make them known to the students and their parents. Several states already require such policies to be developed and distributed. [65] Even in those states that do not explicitly require such policies to be in place, nothing is to be gained by the schools' not developing and enforcing them. It is true that the existence of such policies is often cited by courts as evidence of school control over the hazing activities; but the absence of the policies is no more likely to fool a court into believing the school had no power to intervene than would a school's "self–induced ignorance" concerning the hazing.

Schools that know or suspect their students are engaged in hazing activities should move quickly to stop further hazing by disciplining the students and organizations involved. They should also evaluate their current disciplinary policies and practices to be certain that future incidents are unlikely to occur.

In fact, schools would do well to follow the example of Trumansburg Central School District in New York. After a locker room hazing incident in the fall of 2002, the district "confront[ed] the issue head–on and under bright lights." [66] Superintendent John Delaney led an ongoing, community–wide discussion of bullying, harassment, and hazing. [67] A series of meetings included "students, teachers, faculty, parents and residents" in an intensive discussion and study of how bullying, hazing and harassment get started, both at home and at school, and how they can be stopped. [68]

Trumansburg's approach is consistent with what we know about bullying and its prevention. Where such approaches are instituted to transform the culture of a school, incidents of bullying and harassment typically are cut in half. [69] Once brutalizing other students becomes unacceptable to all segments of the Trumansburg school community, including the students themselves, hazing will almost certainly become a relic of the school's past that no one will want to resurrect.

Even schools that are not currently aware of hazing among students would be well served by instituting discussions similar to those at Trumansburg and by developing robust policies against hazing. A recent study by Alfred University researchers revealed that 48 % of American high school students have been involved in hazing. [70] We know, then, that hazing is widespread among American high school students, and we know how easily immature participants can get out of hand and injure someone. Given the dangers of hazing and the potential liability of the school for failing to intervene, there is nothing to be gained by school officials' looking the other way or assuming a problem does not exist in their schools. Waiting to address hazing until someone is injured is a game neither the students nor the school can afford to play.

Footnotes:

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1. Crystal Yednak & Jimmy Greenfield, *Powder Puff Payback*, CHI. TRIB., May 13, 2003, *available at* 2003 WL 20236539.

2. *Id.*
3. Editorial, *North Shore Ugliness*, CHI. TRIB., May 8, 2003, *available at* 2003 WL 20234734.

4. Maureen O'Donnell, *31 Glenbrook Seniors Expelled in Hazing*, CHI. SUN–TIMES, May 27, 2003, *available at* 2003 WL 9553914.

5. *Id.*

6. *Gendelman v. Glenbrook North High Sch.*, No. 03 C 3288, 2003 WL 21209880 (N.D. Ill. May 21, 2003).

7. *Id.* at *5.

8. *Id.* at *4.

9. Ironically, Glenbrook North officials may be covered by a blanket immunity with regard to hazing. One court has interpreted the Illinois anti–hazing statute, 720 ILL. COMP. STAT. 120/5 (2003), as explicitly exempting from liability schools that knowingly allow hazing to continue. Hilton v. Lincoln–Way High School, 1998 WL 26174, at *9–10 (N.D. Ill. Jan. 14, 1998). The court held that under the 1996 Illinois anti–hazing statute, "an act constitutes hazing only if the educational institution does not authorize or sanction the act." *Id.* at *9. Because school officials had been aware of the hazing for decades, the court reasoned that the school had authorized the practice and could therefore not be held liable under the anti–hazing statute. *Id.* at *9–10. The statutory language, said the court, "evidences a legislative intent to exempt educational institutions and their agents from operation of the statute." *Id.* at *10. The statute provides that

[a] person commits hazing who knowingly requires the performance of any act by a student or other person in a school, college, university, or other educational institution of this State, for the purpose of induction or admission into any group, organization, or society associated or connected with that institution if:

(a) the act is not sanctioned or authorized by that educational institution; and
(b) the act results in bodily harm to any person.

§ 120/5.

10. In statutes designed to prohibit hazing activities in schools, definitions of "hazing" vary widely. For example, MINN. STAT. § 121A.69.1(a) defines hazing 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."
On the other hand, ARK. CODE ANN. § 6–5–201(a)(Michie 2002) defines "hazing" in much greater detail: As used in this subchapter ... "hazing" means: (1) Any willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one ... student alone or acting with others which is directed against any other student and done for the purpose of intimidating the student attacked by threatening him with social or other ostracism or of submitting such student to ignominy, shame, or disgrace among his fellow students, and acts

calculated to produce such results; or (2) The playing of abusive or truculent tricks ... by one ... student alone or acting with others, upon another student to frighten or scare him; or (3) Any willful act ... by one ... student alone or acting with others which is directed against any other student done for the purpose of humbling the pride, stifling the ambition, or impairing the courage of the student attacked or to discourage him from remaining in that school ... or reasonably to cause him to leave the institution rather than submit to such acts; or (4) Any willful act ... by one ... student alone or acting with others in striking, beating, bruising, or maiming; or seriously offering, threatening, or attempting to strike, beat, bruise, or maim; or to do or seriously offer, threaten, or attempt to do physical violence to any student ... or any assault upon any such student made for the purpose of committing any of the acts, or producing any of the results, to such student as defined in this section.

11. Carl Silverman, *Is It Time to Hold School Districts Responsible for Inadequate Safety Measures?* 145 Ed.Law Rep. [535, 539] (2000).

12. *E.g., Beshears v. Unified Sch. Dist. No. 305*, 930 P.2d 1376, 1382 [115 Ed.Law Rep. [1074]] (Kan. 1997)(*citing Sly v. Bd. of Educ.*, 516 P.2d 895, 903–04, (Kan. 1973)). *But see Dailey v. L.A. Unified Sch. Dist.*, 87 Cal.Rptr. 376, 470 P.2d 360, 363–64 (Cal. 1970)(holding that despite the fact that a student's "injuries and death were sustained as a result of boisterous behavior engaged in by him and a fellow student," the school had a duty to provide reasonable supervision to prevent such behavior and the resulting injuries).

13. *E.g., Castaldo v. Stone*, 192 F.Supp.2d 1124, 1170–71 [163 Ed.Law Rep. [688]] (D. Colo. 2001); *but see Collins v. Sch. Bd.*, 471 So.2d 560, 565–66 [26 Ed.Law Rep. [533]] (Fla.Dist.Ct.App. 1985)(holding that a teacher's lengthy absence from class in which a student was sexually assaulted was sufficiently foreseeable to support jury's finding that the teacher's inadequate supervision breached a duty of care owed to the student and was the proximate cause of the injury).

14. 738 So.2d 1105 [143 Ed.Law Rep. [1115]] (La.Ct.App. 1999).

15. *Id.* at 1115.

16. *Id.*

17. 594 A.2d 506 [69 Ed.Law Rep. [441]] (Del. 1991).

18. *Id*. at 519–20.

19. *Id.* at 510.

20. *Id*. at 511.

21. *Id*.

22. *Id*. at 520. The court also found a separate basis for imposing a duty on the university because of the plaintiff student's status as an invitee. Although the university did not own the fraternity house itself, it did own the land on which the house sat and exerted other control over the activities of the fraternity. *Id*. at 520–23.

23. *Id*. at 520 (quoting RESTATEMENT OF TORTS (SECOND) § 323, cmt. a (1965)).

24. *Id*.

25. *Id*. (quoting *Mullins v. Pine Manor Coll.*, 449 N.E.2d 331, 336 [11 Ed.Law Rep. [595]] (Mass. 1983)).

26. *See* generally *Mullins*, 449 N.E.2d 331 (reasoning, in part, that because colleges foster the perception that they are safe places for their students, the students are justified in relying on the schools to take reasonable security precautions from foreseeable threats, including threats from the criminal actions of third parties).

27. *Morrison*, 738 So.2d at 1115 (quoting the trial court's denial of summary judgment).

28. Amie Pelletier, *Regulation of Rites: The Effect and Enforcement of Current Anti–hazing Statutes*, 28 NEW ENG. J. ON CRIM. & CIV. CONFINEMENT 377, 384 (quoting, in a discussion of consent defenses in criminal and civil hazing cases, *People v. Lenti*, 253 N.Y.S.2d 9, 15 (1964): " '[C]ertainly ... the boys who submitted to the physical pounding could not consent to the perpetration of those acts.... [T]hey were warned that there would be physical abuse. But did ... the extent of the physical harm exceed the terms of any consent? Surely consent is not a carte blanche license to commit an unabridged assault.' ").

29. *Morrison*, 738 So.2d at 1115 (quoting *Fox v. Bd. of Supervisors of La. St. Univ.*, 576 So.2d 978 [66 Ed.Law Rep. [1379]] (La. 1991)).

30. *Id.*

31. 426 P.2d 471 (Wash. 1967).

32. *Id*. at 472.

33. *Id*.

34. *Id*. at 473.

35. *Id.* at 472–73.

36. *Id*.

37. *Id*. at 474.

38. 417 So.2d 658 [5 Ed.Law Rep. [1309]] (Fla. 1982).

39. *Id*. at 660.

40. *Id*.

41. *Id.* at 669.

42. *Id*. at 660.

43. *Id*. at 667.

44. *Id.*

45. *Id.* (quoting W. Prosser, THE LAW OF TORTS § 53 at 325–26 (4th Ed. 1971)).

46. *Id*. at 667–68.

47. *Chappel*, 426 P.2d at 475.

48. *Id*. at 473.

49. *Id*. at 474.

50. *Id*. at 475.

51. *Id*.

52. *Rupp*, 417 So.2d at 666–68.

53. *Id*.

54. *Id*. at 669.

55. *Id*.

56. *Id*.

57. *Morrison*, 738 So.2d at 1117.

58. *Id*.

59. *Glenbrook*, 2003 WL 21209880, at *2 (emphasis supplied).

60. *Id*.

61. *Id*.

62. *Id.*

63. *Id*.

64. See *supra* note 11 for a discussion of immunity under the Illinois anti–hazing statute.

65. For example, MINN. STAT. § 121A.69(2000) requires that

[e]ach school board shall adopt a written policy governing student or staff hazing. The policy must apply to student behavior that occurs on or off school property and during and after school hours. The policy must include reporting procedures and disciplinary consequences for violating the policy. Disciplinary consequences must be sufficiently severe to deter violations and appropriately discipline behavior. Disciplinary consequences must conform with sections 121A.41 to 121A.56. Each school must include the policy in the student handbook on school policies.

66. Editorial, *T–burg Effort Commendable*, ITHACA JOURNAL, March 10, 2003, *available at* 2003 WL 13760380.

67. *Id*.

68. *Id*.

69. See Ron Banks, *Bullying in Schools*, ERIC DIG., April 1197 at 2, 2–3, for a discussion of the effects of a bullying prevention program developed by Dan Olweus that has had remarkable effects where it has been implemented.

70. Melissa Dixon, *Chalk Talk: Hazing in High Schools: Ending the Hidden Tradition*, 30 J.L. & EDUC. 357, 357 (2001).