

One Hundred Eighteenth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Wednesday,
the third day of January, two thousand and twenty-four*

An Act

To amend the Higher Education Act of 1965 to require institutions of higher education to disclose hazing incidents, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Stop Campus Hazing Act".

SEC. 2. INCLUSION OF HAZING INCIDENTS IN ANNUAL SECURITY REPORTS.

(a) STATISTICS ON HAZING INCIDENTS.—

(1) IN GENERAL.—Section 485(f)(1)(F) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)(F)) is amended—

(A) in clause (i)(IX), by striking "and" after the semicolon;

(B) in clause (ii), by striking "and" after the semicolon;

(C) in clause (iii), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

"(iv) of hazing incidents that were reported to campus security authorities or local police agencies."

(2) COMPILATION OF HAZING INCIDENTS.—Section 485(f)(7) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(7)) is amended by inserting after the second sentence the following: "For hazing incidents referred to in clause (iv) of paragraph (1)(F), such statistics shall be compiled per each single hazing incident and in accordance with the definition of the term 'hazing' in paragraph (6)(A)(vi), and if the same person or persons commit more than one hazing act, and the time and place intervals separating each such act are insignificant, such acts shall be reported as a single hazing incident."

(3) BEGINNING OF COMPILATION OF HAZING STATISTICS.—Not later than January 1 of the first year after the date of enactment of this Act, each eligible institution participating in any program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), other than a foreign institution of higher education, shall begin to collect statistics on hazing incidents for the purpose of complying with clause (iv) of section 485(f)(1)(F) of such Act, as added by paragraph (1) of this subsection.

(4) DEFINITION OF HAZING.—Section 485(f)(6)(A) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(6)(A)) is amended by adding at the end the following:

“(vi) The term ‘hazing’, for purposes of reporting statistics on hazing incidents under paragraph (1)(F)(iv), means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that—

“(I) is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

“(II) causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—

“(aa) whipping, beating, striking, electronic shocking, placing of a harmful substance on someone’s body, or similar activity;

“(bb) causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;

“(cc) causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;

“(dd) causing, coercing, or otherwise inducing another person to perform sexual acts;

“(ee) any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;

“(ff) any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and

“(gg) any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.”.

(5) DEFINITION OF STUDENT ORGANIZATION.—Section 485(f)(6)(A) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(6)(A)) is further amended by adding at the end the following:

“(vii) The term ‘student organization’, for purposes of reporting under paragraph (1)(F)(iv) and paragraph (9)(A), means an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.”.

(b) STATEMENT OF POLICY AND PREVENTION PROGRAM ON HAZING.—Section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) is amended by inserting after subparagraph (J) the following:

“(K) A statement of current policies relating to hazing (as defined by the institution), how to report incidents of such hazing, and the process used to investigate such incidents of

hazing, and information on applicable local, State, and Tribal laws on hazing (as defined by such local, State, and Tribal laws).

“(L) A statement of policy regarding prevention and awareness programs related to hazing (as defined by the institution) that includes a description of research-informed campus-wide prevention programs designed to reach students, staff, and faculty, which includes—

“(i) the information referred to in subparagraph (K);

and

“(ii) primary prevention strategies intended to stop hazing before hazing occurs, which may include skill building for bystander intervention, information about ethical leadership, and the promotion of strategies for building group cohesion without hazing.”.

(c) EFFECTIVE DATE; APPLICATION.—The amendments made by this section shall—

(1) take effect on the date that is 6 months after the date of enactment of this Act; and

(2) apply with respect to the annual security report required under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) for the calendar year that is 2 years after such date of enactment, including any data collected on or after such effective date, and any subsequent report required under such section.

SEC. 3. CAMPUS HAZING TRANSPARENCY REPORT.

Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is further amended—

(1) by redesignating paragraphs (9) through (18) as paragraphs (10) through (19), respectively; and

(2) by inserting after paragraph (8) the following:

“(9)(A) Each institution participating in any program under this title, other than a foreign institution of higher education, shall develop, in accordance with the institution’s statement of policy relating to hazing under paragraph (1)(K), a report (which shall be referred to as the ‘Campus Hazing Transparency Report’) summarizing findings concerning any student organization (except that this shall only apply to student organizations that are established or recognized by the institution) found to be in violation of an institution’s standards of conduct relating to hazing, as defined by the institution, (hereinafter referred to in this paragraph as a ‘hazing violation’) that requires the institution to—

“(i) beginning July 1, 2025, collect information with respect to hazing incidents at the institution;

“(ii) not later than 12 months after the date of the enactment of the Stop Campus Hazing Act, make the Campus Hazing Transparency Report publicly available on the public website of the institution; and

“(iii) not less frequently than 2 times each year, update the Campus Hazing Transparency Report to include, for the period beginning on the date on which the Report was last published and ending on the date on which such update is submitted, each incident involving a student organization for which a finding of responsibility is issued relating to a hazing violation, including—

“(I) the name of such student organization;

“(II) a general description of the violation that resulted in a finding of responsibility, including whether the violation involved the abuse or illegal use of alcohol or drugs, the findings of the institution, and any sanctions placed on the student organization by the institution, as applicable; and

“(III) the dates on which—

“(aa) the incident was alleged to have occurred;

“(bb) the investigation into the incident was initiated;

“(cc) the investigation ended with a finding that a hazing violation occurred; and

“(dd) the institution provided notice to the student organization that the incident resulted in a hazing violation.

“(B) The Campus Hazing Transparency Report may include—

“(i) to satisfy the requirements of this paragraph, information that—

“(I) is included as part of a report published by the institution; and

“(II) meets the requirements of the Campus Hazing Transparency Report; and

“(ii) any additional information—

“(I) determined by the institution to be necessary; or

“(II) reported as required by State law.

“(C) The Campus Hazing Transparency Report shall not include any personally identifiable information, including any information that would reveal personally identifiable information, about any individual student in accordance with section 444 of the General Education Provisions Act (commonly known as the ‘Family Educational Rights and Privacy Act of 1974’).

“(D) The institution shall publish, in a prominent location on the public website of the institution, the Campus Hazing Transparency Report, including—

“(i) a statement notifying the public of the annual availability of statistics on hazing pursuant to the report required under paragraph (1)(F), including a link to such report;

“(ii) information about the institution’s policies relating to hazing under paragraph (1)(K) and applicable local, State, and Tribal laws on hazing; and

“(iii) the information included in each update required under subparagraph (A)(iii), which shall be maintained for a period of 5 calendar years from the date of publication of such update.

“(E) The institution may include, as part of the publication of the Campus Hazing Transparency Report under subparagraph (D), a description of the purposes of, and differences between—

“(i) the report required under paragraph (1)(F); and

“(ii) the Campus Hazing Transparency Report required under this paragraph.

“(F) For purposes of this paragraph, the definition of ‘campus’ under paragraph (6)(A)(ii) shall not apply.

“(G) An institution described in subparagraph (A) is not required to—

“(i) develop the Campus Hazing Transparency Report under this subsection until such institution has a finding of a hazing violation; or

“(ii) update the Campus Hazing Transparency Report in accordance with clause (iii) of subparagraph (A) for a period described in such clause if such institution does not have a finding of a hazing violation for such period.”.

SEC. 4. JEANNE CLERY CAMPUS SAFETY ACT.

Paragraph (19) of section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(19)), as so redesignated, is amended by striking “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” and inserting “Jeanne Clery Campus Safety Act”.

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act, or an amendment made by this Act, shall be construed to affect the rights (including remedies and procedures) available to persons under the First Amendment of the Constitution of the United States or rights to due process.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*