
College & Workforce Development Committee

HB 1751

Brief Description: Concerning hazing prevention and reduction at institutions of higher education.

Sponsors: Representatives Leavitt, Senn, Berry, Valdez, Bateman, Berg, Callan, Cody, Fitzgibbon, Santos, Simmons, Slatter, Bergquist and Pollet.

Brief Summary of Bill

- Expands the definition of hazing.
- Requires each institution of higher education to prohibit hazing both on and off campus.
- Requires each institution of higher education to provide students with an educational program on hazing and prohibits organizations from accepting or initiating a student who has not completed the educational program.
- Requires each institution of higher education to publicly report actual findings of hazing violations and to maintain a webpage that is regularly updated with current hazing investigations at the institution.
- Requires each institution of higher education to provide hazing prevention education to employees and volunteers.
- Requires employees and volunteers at each public and private institution of higher education to report occurrences of hazing to a designated authority at the institution.
- Prohibits a person reporting hazing at an institution of higher education from being sanctioned for hazing unless the person is directly involved

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in the reported act.

- Requires social fraternity and sorority organizations to notify an institution before opening or reopening a local chapter, to notify the institution when it implements a hazing investigation, and to certify to the institution that all of the organization's websites contain a full list of hazing violations against the local chapter within the last five years.

Hearing Date: 1/13/22

Staff: Elizabeth Allison (786-7129).

Background:

The definition of hazing includes any method of initiation into a student organization or living group that causes bodily danger or physical harm, or serious mental or emotional harm to a person attending a public or private institution of higher education or any other postsecondary educational institution.

Hazing is prohibited at public and private institutions of higher education or any other postsecondary educational institution in Washington. A person who participates in hazing forfeits any entitlement to state-funded grants, scholarships, or awards for a period of time determined by the institution, and any organization, association, or student living group that knowingly permits hazing is deprived of any official recognition or approval granted by the institution.

Summary of Bill:

Hazing Definition.

The definition of hazing is expanded to apply to athletic teams in addition to student organizations and living groups. It includes any act committed as part of person's recruitment, pledging, admission into, or affiliation with an athletic team, student organization, or living group in addition to initiation into such groups. The definition specifies that causing, directing, coercing, or forcing a person to consume any food, liquid, alcohol, drug, or other substance which subjects the person to risk of harm, regardless of the person's willingness to participate, is considered hazing.

Hazing Violations Report and Webpage.

Public and private institutions of higher education (institutions) must prohibit hazing both on and off campus in their codes of conduct. Beginning with the fall 2022 academic term, each institution must provide students and their legal guardians with an educational program on hazing and the dangers of hazing, as well as the institution's prohibition on hazing. Institutions must offer at least one opportunity for students to complete the educational program at new

student orientation and must verify students' completion of the program. Student organizations, athletic teams, and living groups may not initiate or accept any person who has not attended the educational program. The educational program may be offered in-person or electronically.

Beginning with the 2022-2023 academic year, each institution must maintain and publicly report actual findings of hazing violations by any student organization, athletic team, or living group. Hazing violations include violations of the institution's code of conduct, antihazing policies, or state or federal laws relating to hazing or offenses related to alcohol, drugs, or sexual or physical assault. The report must include:

- the name of the student organization, athletic team, or living group;
- the date the investigation was initiated;
- the date on which the investigation ended with a finding that a violation occurred;
- a description of the incident;
- the details of the sanctions imposed; and
- the date the student organization, athletic team, or living group was charged with a violation.

The report must not include include any personal or identifying information of individual students and is subject to the requirements of the federal Family Education Rights and Privacy Act (FERPA). Institutions must maintain reports for five years and post them on their respective websites 45 calendar days before the start of the fall academic term and 10 days before the start of all other academic terms.

In addition to the report, institutions must maintain a webpage that is regularly updated with current investigations into hazing, alcohol, drug, or sexual or physical assault violations by any student organization, athletic team, or living group.

Duty to Report Hazing.

Beginning in the fall 2022 academic term, each institution must provide hazing prevention education to each employee and volunteer at the institution, either in person or electronically. The training shall be provided annually for each employee and before the start of the next academic term for new employees. Employees and volunteers who have witnessed hazing or have reasonable cause to believe that hazing has or will occur must report such information to a designated authority at the institution. A person reporting hazing in good faith may not be sanctioned or punished for hazing unless the person is directly engaged in the planning, directing, or act of hazing reported. A person is not prohibited from independently reporting hazing or suspected hazing activity to law enforcement.

Social Fraternity and Sorority Organizations.

Social fraternity and sorority organizations (organizations) must notify institutions before chartering, rechartering, opening, or reopening a local chapter at the institution and must notify the institution when the organization instigates a hazing investigation of a local chapter. Beginning in the 2022 fall academic term, organizations seeking to obtain or maintain registration with any institution in Washington must certify in writing and provide weblinks that

any websites owned by the organization contain a full list for the previous five years of all hazing violations of policies, state or federal laws, or the institution's code of conduct against the local chapter. If an organization does not comply with these requirements, the organization will automatically lose recognition at the institution until it comes into compliance.

Appropriation: None.

Fiscal Note: Requested on January 5, 2022.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.