

118TH CONGRESS
2D SESSION

H. R. 5646

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Received

AN ACT

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Stop Campus Hazing
3 Act”.

4 **SEC. 2. INCLUSION OF HAZING INCIDENTS IN ANNUAL SE-**
5 **CURITY REPORTS.**

6 (a) STATISTICS ON HAZING INCIDENTS.—

7 (1) IN GENERAL.—Section 485(f)(1)(F) of the
8 Higher Education Act of 1965 (20 U.S.C.
9 1092(f)(1)(F)) is amended—

10 (A) in clause (i)(IX), by striking “and”
11 after the semicolon;

12 (B) in clause (ii), by striking “and” after
13 the semicolon;

14 (C) in clause (iii), by striking the period at
15 the end and inserting “; and”; and

16 (D) by adding at the end the following:

17 “(iv) of hazing incidents that were re-
18 ported to campus security authorities or
19 local police agencies.”.

20 (2) COMPILATION OF HAZING INCIDENTS.—Sec-
21 tion 485(f)(7) of the Higher Education Act of 1965
22 (20 U.S.C. 1092(f)(7)) is amended by inserting after
23 the second sentence the following: “For hazing inci-
24 dents referred to in clause (iv) of paragraph (1)(F),
25 such statistics shall be compiled per each single haz-
26 ing 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

1 person or persons regardless of the willingness of
2 such other person or persons to participate, that—

3 “(I) is committed in the course of an initi-
4 ation into, an affiliation with, or the mainte-
5 nance of membership in, a student organization;
6 and

7 “(II) causes or creates a risk, above the
8 reasonable risk encountered in the course of
9 participation in the institution of higher edu-
10 cation or the organization (such as the physical
11 preparation necessary for participation in an
12 athletic team), of physical or psychological in-
13 jury including—

14 “(aa) whipping, beating, striking, elec-
15 tronic shocking, placing of a harmful sub-
16 stance on someone’s body, or similar activ-
17 ity;

18 “(bb) causing, coercing, or otherwise
19 inducing sleep deprivation, exposure to the
20 elements, confinement in a small space, ex-
21 treme calisthenics, or other similar activity;

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

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

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

8 “(ff) any activity against another per-
9 son that includes a criminal violation of
10 local, State, Tribal, or Federal law; and

11 “(gg) any activity that induces,
12 causes, or requires another person to per-
13 form a duty or task that involves a crimi-
14 nal violation of local, State, Tribal, or Fed-
15 eral law.”.

16 (5) DEFINITION OF STUDENT ORGANIZATION.—
17 Section 485(f)(6)(A) of the Higher Education Act of
18 1965 (20 U.S.C. 1092(f)(6)(A)) is further amended
19 by adding at the end the following:

20 “(vii) The term ‘student organization’, for pur-
21 poses of reporting under paragraph (1)(F)(iv) and
22 paragraph (9)(A), means an organization at an in-
23 stitution of higher education (such as a club, society,
24 association, varsity or junior varsity athletic team,
25 club sports team, fraternity, sorority, band, or stu-

1 dent government) in which two or more of the mem-
2 bers are students enrolled at the institution of high-
3 er education, whether or not the organization is es-
4 tablished or recognized by the institution.”.

5 (b) STATEMENT OF POLICY AND PREVENTION PRO-
6 GRAM ON HAZING.—Section 485(f)(1) of the Higher Edu-
7 cation Act of 1965 (20 U.S.C. 1092(f)(1)) is amended by
8 inserting after subparagraph (J) the following:

9 “(K) A statement of current policies relating to
10 hazing (as defined by the institution), how to report
11 incidents of such hazing, and the process used to in-
12 vestigate such incidents of hazing, and information
13 on applicable local, State, and Tribal laws on hazing
14 (as defined by such local, State, and Tribal laws).

15 “(L) A statement of policy regarding prevention
16 and awareness programs related to hazing (as de-
17 fined by the institution) that includes a description
18 of research-informed campus-wide prevention pro-
19 grams designed to reach students, staff, and faculty,
20 which includes—

21 “(i) the information referred to in subpara-
22 graph (K); and

23 “(ii) primary prevention strategies in-
24 tended to stop hazing before hazing occurs,
25 which may include skill building for bystander

1 intervention, information about ethical leader-
 2 ship, and the promotion of strategies for build-
 3 ing group cohesion without hazing.”.

4 (c) EFFECTIVE DATE; APPLICATION.—The amend-
 5 ments made by this section shall—

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

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

15 **SEC. 3. CAMPUS HAZING TRANSPARENCY REPORT.**

16 Section 485(f) of the Higher Education Act of 1965
 17 (20 U.S.C. 1092(f)) is further amended—

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

21 (2) by inserting after paragraph (8) the fol-
 22 lowing:

23 “(9)(A) Each institution participating in any pro-
 24 gram under this title, other than a foreign institution of
 25 higher education, shall develop, in accordance with the in-

1 stitution’s statement of policy relating to hazing under
2 paragraph (1)(K), a report (which shall be referred to as
3 the ‘Campus Hazing Transparency Report’) summarizing
4 findings concerning any student organization (except that
5 this shall only apply to student organizations that are es-
6 tablished or recognized by the institution) found to be in
7 violation of an institution’s standards of conduct relating
8 to hazing, as defined by the institution, (hereinafter re-
9 ferred to in this paragraph as a ‘hazing violation’) that
10 requires the institution to—

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

13 “(ii) not later than 12 months after the date of
14 the enactment of the Stop Campus Hazing Act,
15 make the Campus Hazing Transparency Report
16 publicly available on the public website of the insti-
17 tution; and

18 “(iii) not less frequently than 2 times each
19 year, update the Campus Hazing Transparency Re-
20 port to include, for the period beginning on the date
21 on which the Report was last published and ending
22 on the date on which such update is submitted, each
23 incident involving a student organization for which a
24 finding of responsibility is issued relating to a haz-
25 ing violation, including—

1 “(I) the name of such student organiza-
2 tion;

3 “(II) a general description of the violation
4 that resulted in a finding of responsibility, in-
5 cluding whether the violation involved the abuse
6 or illegal use of alcohol or drugs, the findings
7 of the institution, and any sanctions placed on
8 the student organization by the institution, as
9 applicable; and

10 “(III) the dates on which—

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

13 “(bb) the investigation into the inci-
14 dent was initiated;

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

18 “(dd) the institution provided notice
19 to the student organization that the inci-
20 dent resulted in a hazing violation.

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

23 “(i) to satisfy the requirements of this para-
24 graph, information that—

1 “(I) is included as part of a report pub-
2 lished by the institution; and

3 “(II) meets the requirements of the Cam-
4 pus Hazing Transparency Report; and

5 “(ii) any additional information—

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

8 “(II) reported as required by State law.

9 “(C) The Campus Hazing Transparency Report shall
10 not include any personally identifiable information, includ-
11 ing any information that would reveal personally identifi-
12 able information, about any individual student in accord-
13 ance with section 444 of the General Education Provisions
14 Act (commonly known as the ‘Family Educational Rights
15 and Privacy Act of 1974’).

16 “(D) The institution shall publish, in a prominent lo-
17 cation on the public website of the institution, the Campus
18 Hazing Transparency Report, including—

19 “(i) a statement notifying the public of the an-
20 nual availability of statistics on hazing pursuant to
21 the report required under paragraph (1)(F), includ-
22 ing a link to such report;

23 “(ii) information about the institution’s policies
24 relating to hazing under paragraph (1)(K) and ap-
25 plicable local, State, and Tribal laws on hazing; and

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

5 “(E) The institution may include, as part of the pub-
6 lication of the Campus Hazing Transparency Report
7 under subparagraph (D), a description of the purposes of,
8 and differences between—

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

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

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

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

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

20 “(ii) update the Campus Hazing Transparency
21 Report in accordance with clause (iii) of subpara-
22 graph (A) for a period described in such clause if
23 such institution does not have a finding of a hazing
24 violation for such period.”.

1 **SEC. 4. JEANNE CLERY CAMPUS SAFETY ACT.**

2 Paragraph (19) of section 485(f) of the Higher Edu-
3 cation Act of 1965 (20 U.S.C. 1092(f)(19)), as so redesign-
4 nated, is amended by striking “Jeanne Clery Disclosure
5 of Campus Security Policy and Campus Crime Statistics
6 Act” and inserting “Jeanne Clery Campus Safety Act”.

7 **SEC. 5. RULE OF CONSTRUCTION.**

8 Nothing in this Act, or an amendment made by this
9 Act, shall be construed to affect the rights (including rem-
10 edies and procedures) available to persons under the First
11 Amendment of the Constitution of the United States or
12 rights to due process.

Passed the House of Representatives September 24,
2024.

Attest: KEVIN F. MCCUMBER,
Clerk.