



The Stop Campus Hazing Act: Navigating Your Institution's Compliance

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Stop Campus Hazing Act: Overview

- President Joe Biden signed into law Dec. 23, 2024
- Amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. § 1092(f)
- Renames the Clery Act officially as the *Jeanne Clery Campus Safety Act*
- Effects the most significant change to Clery Act in a decade

Stop Campus Hazing Act: Overview

The Act requires Clery-covered institutions to:

- Compile and disclose statistics on hazing incidents reported to campus security authorities or local police in their Annual Security Report.
- Publish information related to hazing incidents in a newly established Campus Hazing Transparency Report.
- Publish specified information related to anti-hazing policies and hazing prevention programs.

Stop Campus Hazing Act: Drilling Down

- Hazing Definition
- Student Organization Definition
- Annual Security Report: Statistics and Disclosures
- Campus Hazing Transparency Report: New Reporting
- Anti-Hazing Policy and Prevention Program Requirements
- Steps to Consider

The Act: Hazing Definition

The Act defines **hazing** for purposes of reporting statistics on hazing incidents in an Annual Security Report (“ASR”) as:

- 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 –
 - Is committed in the course of an initiation into, *an affiliation with*, or the maintenance of membership in, a student organization; and
 - 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...

The Act: Hazing Definition

The Act sets forth non-exhaustive examples of conduct that causes or creates such a risk, including:

- whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
- causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- causing, coercing, or otherwise inducing another person to perform sexual acts;
- any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
- 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.

The Act: Student Organization Definition

The Act defines “student organization” for purposes of reporting statistics as:

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.*

Requirements for Disclosures in ASRs

The Act expands current ASR reporting requirements and now requires each covered institution to include in its ASR statistics of hazing incidents:

- That were reported to campus security authorities or local police agencies and
- That are reported to have occurred
 - on campus,
 - in or on noncampus buildings or property, and
 - on certain public property, as defined by the Clery Act (“Clery geography”).

Requirements for Disclosures in ASRs (cont'd)

- Like other Clery Act statistics, reported hazing incidents in or on Clery geography must be disclosed for the most recent calendar year and during the two preceding calendar years for which data are available.
- The Act provides that data gathering necessary to comply with this requirement must begin “[n]ot later than January 1 of the first year after the date of enactment of this Act.”
 - The law was enacted Dec. 23, 2024.
 - Therefore covered institutions must begin to collect data on reported hazing on Jan.1, 2025.
 - 2025 hazing reports should be included in Oct. 1, 2026, ASR.

Requirements for the Campus Hazing Transparency Report (“CHTR”)

- The Act also calls for a new form of reporting: the Campus Hazing Transparency Report (“CHTR”).
- Each covered institution must:
 - Develop and publish the CHTR and
 - Later update on the institution’s website.
- Subject to specific timing elements.

Requirements for Disclosures in CHTRs

Differences between what is to be reported in the CHTR and the ASR regarding hazing:

- (1) The CHTR must summarize findings concerning any student organizations that are established or recognized by the institution and are found to be in violation of the institution's standards of conduct relating to hazing.
- By contrast, statistics reporting for ASR purposes must include reports of hazing by student organizations as that term is defined under the Act and therefore includes those that are, and are not, established or recognized by the institution.

Requirements for Disclosures in CHTRs (cont'd)

Difference between what is to be reported in the CHTR and the ASR regarding hazing:

(2) The scope of information that must be included in the CHTR differs from what must be included in an ASR in that:

- The ASR requires the disclosure of statistics of hazing reported to the institution, and
- The CHTR only needs to disclose a summary of incidents in which a student organization established or recognized by the institution was found to have committed a hazing violation.

Requirements for Disclosures in CHTRs (cont'd)

Differences between what is to be reported in the CHTR and the ASR regarding hazing:

(3) The geographic scope of violations that must be summarized in the CHTR is broader than the geographic scope of the statistics reporting section of the Act, in that:

- Statistics reported in the ASR should be limited to reported hazing occurring in or on an institution's Clery geography.
- The Act specifically provides that the Clery Act's definition of "campus" does not apply for CHTR reporting purposes.
- Therefore, if a student organization established or recognized by the institution is found to have committed a hazing violation, a summary of that finding must be included in the CHTR regardless of where the misconduct occurred.

CHTR Timing Requirements

Under the Act, covered institutions must:

- Beginning July 1, 2025, collect information prospectively with respect to hazing incidents concerning student organizations that are established or recognized by the institution found to be in violation of the institution's standards of conduct relating to hazing.
- Not later than 12 months after the date of the enactment of the Act, make the CHTR publicly available on the institution's public website.
- Not less frequently than two times each year, update the CHTR to include, for the period beginning on the date on which the CHTR 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 CHTR defined hazing violation.

CHTR Timing Requirements- Qualified

The CHTR timing requirements are qualified by the Act's provisions that a covered institution:

- Is not required to develop a CHTR “until such institution has a finding of a hazing violation” and
- Does not have to update the CHTR for any period in which the institution does not have a finding of a hazing violation.

CHTR Summary Requirements

The summary of information about each finding of responsibility must include the following:

- The name of such student organization, and
- 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.

CHTR Summary Requirements (cont'd)

The summary of information about each finding of responsibility must include the following (continued):

- The dates on which:
 - The alleged incident was alleged to have occurred,
 - The investigation into the incident was initiated,
 - The investigation ended with a finding that a hazing violation occurred, and
 - The institution provided notice to the student organization that the incident resulted in a hazing violation.

CHTR Summary Requirements (cont'd)

- CHTR summary may contain additional information determined by the institution to be necessary and/or as required by state hazing incident disclosure laws.
- But must “not include any personally identifiable information, including any information that would reveal personally identifiable information, about any individual student” in accordance with the Family Educational Rights and Privacy Act.

CHTR Summary Requirements (cont'd)

- CHTR may also include a description of the purposes of and differences between:
 - Statistics on reports of hazing (by any person or entity) in or on Clery geography that are published with other Clery statistics in the institution's ASR, and
 - The summaries of hazing violations by student organizations established or recognized by the institution that are included in the CHTR.
- Including such a description could help to address any confusion among campus community members and others regarding these distinct types of data.

CHTR Publication Requirements

An institution required to publish a CHTR must:

- Publish it in a “prominent location” on its website;
- Include a statement notifying the public of the availability of
 - Hazing statistics published in its ASR (including a link to the ASR) and
 - Information about the institution’s policies relating to hazing (discussed below) and applicable local, State and Tribal laws on hazing, the information required in each updated summary of hazing violations; and
- Maintain CHTR updates “for a period of 5 calendar years from the date of publication of such update.”

Anti-Hazing Policy and Prevention Programs

The Act requires each covered institution of higher education to take these actions by June 23, 2025:

(1) Publish a statement:

- Regarding the institution's current policies relating to
 - Hazing (as defined by the institution),
 - How to report incidents of hazing, and
 - The process used to investigate hazing incidents,
- And which provides information on applicable local, State, and Tribal laws on hazing.

Anti-Hazing Policy and Prevention Programs (cont'd)

(2) Publish 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 information not only about the institution's policies, reporting and investigation mechanisms, and applicable law,
 - But also primary prevention strategies intended to stop hazing before it occurs, such as:
 - Information about ethical leadership, and
 - Skill building for bystander intervention,
 - The promotion of strategies for building group cohesion without hazing.

Anti-Hazing Policy and Prevention Programs (cont'd)

- The Act does not dictate the location of these publications.
 - A logical place for publication would be in the institution's Oct. 1 ASR.
- Although it would be helpful if the U.S. Department of Education permitted covered institutions to defer 2025 publication to Oct. 1, 2025, to coincide with the publication of their 2025 ASRs,
 - June 23, 2025, is the current operative date.
- Publication by June 23, 2025, would ensure any new policies and programs are in place before students return for Fall semester.

Steps to Consider

Covered institutions should consider the following steps:

- Prepare immediately for compliance with ASR statistics gathering and reporting requirements, including by:
 - Training campus security authorities on their obligations to report information about hazing, and
 - Establishing effective mechanisms for collection, reporting and compilation of required data and information on hazing activities.
- During the first quarter of 2025:
 - Create a shell CHTR website that can be populated with information about hazing violations on or after July 1, 2025, as necessary.

Steps to Consider (cont'd)

Covered institutions should consider the following steps:

- Update and enhance as necessary the institution's anti-hazing policy, enforcement mechanisms and hazing education and prevention programs to meet the requirements of the Act.
- Ensure student handbooks and other institutional hazing related documents address the Act's requirements and provide clear, consistent and coordinated information about the institution's prohibition on hazing and consequences for violations of the institution's anti-hazing policy.

Steps to Consider (cont'd)

Covered institutions should consider the following steps:

- Assess the need to enhance the institution's hazing prevention efforts campus-wide through coordination and training among departments responsible for:
 - Student organizations,
 - Student conduct and discipline,
 - Health and wellness, and
 - Campus safety.
- Ensure hazing-related materials distributed by those departments are consistent with the institution's policy, procedures, and expectations.
- Address applicable state law requirements.



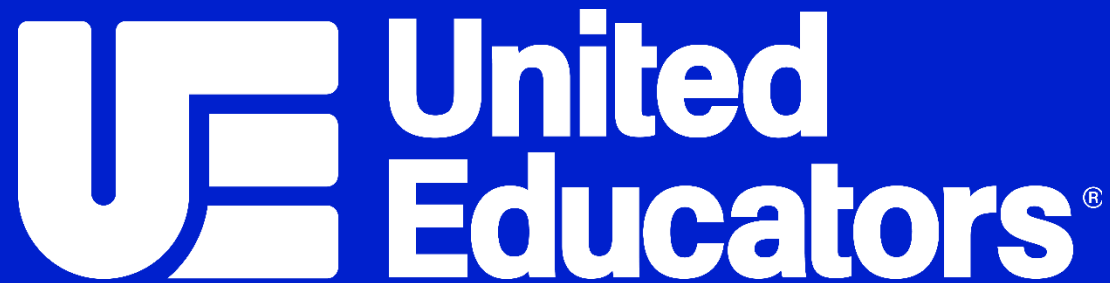
Q&A

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