

Congress Passes the Stop Campus Hazing Act

December 18, 2024

On December 12, 2024, the United States Senate unanimously passed the *Stop Campus Hazing Act* (H.R. 5646).[i] The bill unanimously passed the House of Representatives on September 24, 2024.[ii] President Biden is expected to sign the bill.

According to a Fact Sheet distributed by the United States House of Representatives Committee on Education and the Workforce, “a national study on hazing found 55 percent of college students involved in clubs, teams, and organizations experience hazing” and “[s]ince 2000, there have been more than 100 hazing-related deaths.”[iii]

The Stop Campus Hazing Act (“Act”) amends the Higher Education Act of 1965, specifically the portions of that law known as The Clery Act.[iv] Fundamentally, the Clery Act is a federal consumer protection law that requires higher education institutions to provide transparency about crime prevention and response on their campuses, specifically to prospective students and their parents.[v] The United States Department of Education enforces the Clery Act.

The Act will require institutions to collect and disclose statistics on hazing incidents reported to campus security authorities or local police agencies in their Annual Security Report. The Act requires that institutions utilize the definition of hazing as provided in the legislation for purposes of collecting and reporting this data. In the Annual Security Report, institutions will be required to adopt a statement of current policies related to hazing, including how to report incidents of such hazing, the process used to investigate such incidents and any applicable local, State and Tribal laws related to hazing which apply to the institution. Institutions will also be required to adopt prevention and awareness programs related to hazing, including “research-informed campus-wide prevention programs designed to reach students, staff and faculty...” Such prevention and awareness programs must include information about the institution’s policies related to hazing and prevention strategies “intended to stop hazing before hazing occurs...”

The Act will also require institutions to publish a Campus Hazing Transparency Report, which must summarize findings concerning any student organization that is found to be in violation of the institution’s policies prohibiting hazing.

These amendments to the Higher Education Act take effect six months from enactment of the Act. If President Biden signs the bill before he leaves office, as he is expected to do, institutions must begin collecting data in or about July 2025. Institutions will then be required to incorporate that data into their 2026 Annual Security Report (due October 1, 2026, which will report on calendar years 2023, 2024 and 2025). Within one year from enactment,

on or about January 1, 2026, institutions will be required to make their Campus Hazing Transparency Report publicly available on the institution's website and update it at least two times per year.

Should you have any questions about the impact of the Stop Campus Hazing Act on your institution's compliance obligations and practices, please contact Jennifer McLaughlin (jmclaughlin@cullenllp.com), Dina Vespia (dvespia@cullenllp.com), or Nicole Donatich (ndonatich@cullenllp.com).

This advisory provides a brief overview of the most significant changes in the law and does not constitute legal advice. Nothing herein creates an attorney-client relationship between the sender and recipient.

Footnotes

[i] H.R. 5646 (Stop Campus Hazing Act), 118th Cong. (Dec. 12, 2024).

[ii] H.R. 5646 (Stop Campus Hazing Act), 118th Cong. (Sept. 24, 2024) (unanimously passed by the House).

[iii] Rep. Lucy McBath (D-GA) & Rep. Jeff Duncan (R-SC), *Fact Sheet STOP CAMPUS HAZING ACT (2024)* (available at https://edworkforce.house.gov/uploadedfiles/h.r._5646_stop_campus_hazing_act_fact_sheet.pdf?bcs-agent-scanner=01a869bf-fa14-4641-a32f-427c4d06526a).

[iv] 20 U.S.C. § 1092; 34 C.F.R. §§ 668.41-668.46.

[v] *Id.*

Practices

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