

116TH CONGRESS  
1ST SESSION

# H. R. 3267

To require institutions of higher education to disclose hazing-related misconduct, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 2019

Ms. FUDGE (for herself, Mr. THOMPSON of Pennsylvania, Mr. HASTINGS, Mr. FITZPATRICK, Mr. CARBAJAL, Ms. JACKSON LEE, Mrs. BEATTY, Ms. JOHNSON of Texas, Ms. LEE of California, Ms. WILSON of Florida, and Mr. BISHOP of Georgia) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To require institutions of higher education to disclose hazing-related misconduct, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Educational Notifica-  
5 tion and Disclosure of Actions risking Loss of Life by  
6 Hazing Act”, or the “END ALL Hazing Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds as follows:

1           (1) Hazing is a problem in the United States,  
2           but most especially in our Nation’s educational sys-  
3           tem.

4           (2) Hazing undermines the educational experi-  
5           ence of the victims and the perpetrators. Hazing  
6           often perpetuates a cycle in which students who have  
7           been hazed feel the need to haze other students as  
8           a rite of passage to join a student organization.

9           (3) While hazing takes many forms, including  
10          menial labor, disparagement, public or private hu-  
11          miliation, and forced exercise, the combination of al-  
12          cohol or drug consumption as a form of hazing has  
13          caused bodily injury to thousands of students and  
14          has been fatal in many instances.

15          (4) Numerous students have died as a result of  
16          collegiate hazing. Some of the recent tragedies in-  
17          clude Nicky Cumberland, Max Gruver, Tim Piazza,  
18          Dalton Debrick, Marquise Braham, and Harrison  
19          Kowiak.

20 **SEC. 3. HAZING REPORTING REQUIREMENTS FOR INSTITU-**  
21 **TIONS OF HIGHER EDUCATION.**

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

24               (1) in subsection (a)(1)—

1 (A) in subparagraph (U), by striking  
2 “and” at the end;

3 (B) in subparagraph (V), by striking the  
4 period and inserting “; and”; and

5 (C) by adding at the end the following new  
6 subparagraph:

7 “(W) the hazing reports prepared by the  
8 institution pursuant to subsection (n).”; and

9 (2) by adding at the end the following new sub-  
10 section:

11 “(n) DISCLOSURES OF HAZING-RELATED MIS-  
12 CONDUCT.—

13 “(1) MANDATORY HAZING REPORTS.—Each eli-  
14 gible institution participating in any program under  
15 this title, other than a foreign institution of higher  
16 education, shall on August 1, 2020, begin to collect  
17 information with respect to hazing-related mis-  
18 conduct and anti-hazing policies of that institution,  
19 and beginning on January 1, 2021, and each July  
20 1 and January 1 thereafter, prepare and make pub-  
21 licly available, in accordance with this subsection, a  
22 report containing the information required by this  
23 subsection.

24 “(2) REPORT CONTENT.—

1           “(A) IN GENERAL.—A report required by  
2 paragraph (1) shall include each finding by the  
3 institution that a student organization com-  
4 mitted—

5           “(i) a violation of the institution’s  
6 standards of conduct, or of Federal, State,  
7 or local law, relating to hazing; or

8           “(ii) other conduct that threatens a  
9 student’s physical safety, including a viola-  
10 tion involving the abuse or illegal use of al-  
11 cohol or drugs.

12           “(B) INCIDENT INFORMATION.—A report  
13 required by paragraph (1) shall include, for  
14 each finding by the institution of a violation de-  
15 scribed in subparagraph (A), the following:

16           “(i) The name of the student organi-  
17 zation that committed the violation.

18           “(ii) A general description of the vio-  
19 lation, the charges, the findings of the in-  
20 stitution, and the sanctions placed on the  
21 organization.

22           “(iii) The dates on which—

23           “(I) the violation was alleged to  
24 have occurred;

1                   “(II) the student organization  
2                   was charged with misconduct;

3                   “(III) the investigation was initi-  
4                   ated; and

5                   “(IV) the investigation ended  
6                   with a finding that a violation oc-  
7                   curred.

8                   “(C) EXCLUSIONS.—A report required by  
9                   paragraph (1) shall not include—

10                   “(i) any information related to allega-  
11                   tions or investigations of hazing that do  
12                   not result in a formal finding of a violation  
13                   of the standards of conduct of the institu-  
14                   tion; or

15                   “(ii) any personally identifiable infor-  
16                   mation on any individual student or mem-  
17                   ber of a student organization.

18                   “(D) FERPA COMPLIANCE.—The report  
19                   required by paragraph (1) shall be subject to  
20                   the requirements of section 444 of the General  
21                   Education Provisions Act (commonly known as  
22                   the ‘Family Educational Rights and Privacy  
23                   Act of 1974’).

24                   “(3) AVAILABILITY.—

1           “(A) PUBLIC WEBSITE.—Each institution  
2 shall provide, in a prominent location on the in-  
3 stitution’s website, a link to the webpage that  
4 contains each report required under paragraph  
5 (1). Such webpage shall include a statement no-  
6 tifying the public—

7                   “(i) of the availability of information  
8 including findings, sanctions, and the im-  
9 plementation of sanctions, except informa-  
10 tion protected under section 444 of the  
11 General Education Provisions Act (com-  
12 monly known as the ‘Family Education  
13 Rights and Privacy Act of 1974’);

14                   “(ii) a description of how a member of  
15 the public may obtain such information;  
16 and

17                   “(iii) a statement that the institution  
18 is required to provide such information  
19 pursuant to the END ALL Hazing Act.

20           “(B) NOTICE IN PRINT.—Each institution  
21 shall provide to all enrolled students and to  
22 each applicant for enrollment, a printed notice  
23 of the nature and availability of the reports re-  
24 quired under paragraph (1), and the website  
25 address at which such reports are available.

1           “(C) MAINTENANCE PERIOD.—Each insti-  
2           tution shall maintain each report required  
3           under paragraph (1) on its website for a period  
4           of 5 academic years.

5           “(4) REPORTS TO LAW ENFORCEMENT.—Each  
6           institution participating in any program under this  
7           title, other than a foreign institution of higher edu-  
8           cation, shall report to campus police and appropriate  
9           law enforcement authorities any allegation of hazing  
10          that involved serious bodily injury or a significant  
11          risk of serious bodily injury that is reported to the  
12          institution, campus authorities, or any student orga-  
13          nization officially recognized by the institution. Such  
14          an allegation shall be reported within 72 hours of  
15          when the institution is first notified of the allega-  
16          tion.

17          “(5) APPLICABILITY TO MULTI-INSTITUTION  
18          STUDENT ORGANIZATIONS.—In the case of an alle-  
19          gation that a multi-institution student organization  
20          was involved in a hazing incident, the requirements  
21          of this subsection shall apply only to the institution  
22          or institutions at which the students involved in such  
23          allegation are enrolled (or were formerly enrolled),  
24          including any student who was a victim in the al-  
25          leged incident.

1           “(6) DEFINITIONS.—In this subsection:

2           “(A) HAZING.—The term ‘hazing’ means  
3 any intentional, knowing, or reckless act com-  
4 mitted by a student, or a former student, of an  
5 institution of higher education, whether individ-  
6 ually or in concert with other persons, against  
7 another student, that—

8           “(i) was committed in connection with  
9 an initiation into, an affiliation with, or  
10 the maintenance of membership in, any  
11 student organization; and

12           “(ii) causes, or contributes to a sub-  
13 stantial risk of, physical injury, mental  
14 harm, or personal degradation.

15           “(B) STUDENT ORGANIZATION.—

16           “(i) IN GENERAL.—The term ‘student  
17 organization’ means an organization that  
18 is officially recognized by or otherwise af-  
19 filiated with an institution of higher edu-  
20 cation and that has a membership that is  
21 made up primarily of students enrolled at  
22 such institution.

23           “(ii) MULTI-INSTITUTION STUDENT  
24 ORGANIZATIONS.—The term ‘multi-institu-  
25 tion student organization’ means a student



1 organization that includes students from  
2 more than one institution of higher edu-  
3 cation, including city-wide, regional, State,  
4 and national chapters of student organiza-  
5 tions.”.

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