

# CLIENT ALERTS

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## University and College Administrators, Get Your Hazing Trackers Ready and Build Your Training Program Now In Order To Comply With the New Hazing Law, “Stop Campus Hazing Act” (H.R. 5646)

### Client Alert

1.24.2025

The new federal “Stop Campus Hazing Act” was enacted in December 2024 and mandates numerous actions for colleges and universities, completion of which is necessary soon, with some requirements immediately effective (tracking of certain data). This Client Alert will give a brief overview of the requirements established with the passage of this new bill. College administrators should contact their counsel to ensure that they are fully in compliance before the fast-approaching deadlines. As always, your Butzel Attorney and the authors of this Client Alert are ready to help ensure compliance with these new government requirements.

### Overview:

The Stop Campus Hazing Act (H.R. 5646) became law on December 23, 2024. The “Stop Campus Hazing Act” requires all institutes of higher education who participate in any program under the Higher Education Act of 1965 (except foreign institutions of higher education) to include all hazing incidents that happen on campus in their Annual Security Report, develop a Campus Hazing Transparency Report, and develop a hazing policy statement and campuswide training program.

### The Annual Security Report:

Institutions of higher education must start tracking hazing incidents beginning in calendar year 2025 (January 1, 2025) and these incidents must be included in the Annual Security Report beginning with the one due on October 1, 2026.

The requirement for what incidents to include in the Annual Security Report is very broad. It includes all hazing incidents “committed in the course of an initiation into, affiliation with, or

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maintenance of membership in, a student organization.” If that hazing act causes or creates a risk above what is reasonable for participation in an institute of higher education or in an athletic event, it must be reported. The Act lists numerous examples of activities such as whipping, confining in a small space, coercing to consume food or alcohol or violating the law that would typically be considered hazing acts, and administrators should ensure that they are familiar with this list.

Colleges should pay particular attention to the Act’s definition of a student organization for this reporting requirement. According to the Act a student organization “means 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.” This means that for reporting purposes administrators will be required to report hazing incidents in the Annual Security Report occurring in both officially established and recognized student organizations and organizations that are unsanctioned but involve 2 or more students from the organization.

### **Campus Hazing Transparency Report:**

The second requirement under the Act for institutes of higher education is to create a Campus Hazing Transparency Report that must be posted on the institution’s public website. This report must be posted on the public website by December 2025 (12 months after the enactment date). This report must include information regarding hazing incidents (starting from July 1, 2025) involving a student organization where it was found that the organization was responsible for the hazing violation. The Campus Hazing Transparency Report will only include student organizations that “are established or recognized by the institution.” Institutes of higher education should note that this is a different requirement than that for the Annual Security Report. This report must be updated twice a year. It is required to at a minimum contain for each incident: name of student organization, general description of the violation, date that the incident occurred, date the investigation was initiated, date the investigation found a hazing violation had occurred, and date the institution provided notice to the student organization that the incident was a hazing violation. Ongoing and open investigations and incidents that are found not to be hazing incidents or incidents that involve unrecognized student organizations do not need to be included in this report.

### **Policy Statement about Hazing and Prevention Program on Hazing:**

A third requirement for institutes of higher education that must be accomplished by June 24, 2025, is the creation of a statement of current policies related to hazing. That hazing policy statement must include how to report incidents of hazing, the process used in investigating hazing incidents, and all applicable laws. There also must be a statement that describes prevention and awareness programs about hazing. These prevention and awareness programs are required to be “research-informed” and available campus wide. These programs must include all the required information in the hazing policy statement as well as “primary prevention strategies intended to stop hazing before hazing occurs, which may include skill building for bystander intervention, information about ethical leadership, and

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the promotion of strategies for building group cohesion without hazing.” It is intended with this new requirement that if a university or college did not already have campuswide hazing awareness and prevention training programs they must create them before June 24, 2025, in order to include them in their required policy statement.

Colleges and universities should now create their policies and procedures regarding hazing violations and tracking so that they are ready to meet the deadlines set by this new law. Please reach out to the authors of this Client Alert or your Butzel attorney for further information.

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