

2SHB 1751 - S COMM AMD
By Committee on Ways & Means

ADOPTED 03/03/2022

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 28B.10.900 and 1993 c 514 s 1 are each amended to
4 read as follows:

5 As used in RCW 28B.10.901 and 28B.10.902, "hazing" includes any
6 (~~method of~~) act committed as part of a person's recruitment,
7 initiation (~~into~~), pledging, admission into, or affiliation with a
8 student organization, athletic team, or living group, or any pastime
9 or amusement engaged in with respect to such an organization,
10 athletic team, or living group that causes, or is likely to cause,
11 bodily danger or physical harm, or serious (~~mental~~) psychological
12 or emotional harm, to any student or other person attending a public
13 or private institution of higher education or other postsecondary
14 educational institution in this state, including causing, directing,
15 coercing, or forcing a person to consume any food, liquid, alcohol,
16 drug, or other substance which subjects the person to risk of such
17 harm, regardless of the person's willingness to participate. "Hazing"
18 does not include customary athletic events or other similar contests
19 or competitions.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.10
21 RCW to read as follows:

22 (1) Each public and private institution of higher education shall
23 prohibit in its code of conduct hazing off campus as well as on
24 campus.

25 (2) Beginning with the 2022 fall term, each public and private
26 institution of higher education shall provide students with an
27 educational program on hazing and the dangers of and prohibition on
28 hazing, which shall include information regarding hazing awareness,
29 prevention, intervention, and the institution's policy on hazing. The
30 educational program may be offered in person or electronically. The
31 institution must incorporate the educational program as part of new

1 student orientation sessions. The educational program must be posted
2 on each institution's public website for parents, legal guardians,
3 and volunteers to view.

4 (3) Institutional materials on student rights and
5 responsibilities given to student organizations, athletic teams, or
6 living groups, either electronically or in hard copy form, shall
7 include a statement on the institution's antihazing policy and on the
8 dangers of hazing.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.10
10 RCW to read as follows:

11 Each public institution of higher education shall establish a
12 hazing prevention committee to promote and address hazing prevention.
13 The committee shall have a minimum of six members including a
14 designated chair appointed by the president of the institution. Fifty
15 percent of the committee positions shall include students currently
16 attending the higher education institution with at least one position
17 filled by a student from a student organization, athletic team, or
18 living group. The other fifty percent of the committee positions
19 shall include at least one faculty or staff member and one parent or
20 legal guardian of a student currently enrolled at the institution.
21 Student input shall be considered for committee membership. A student
22 who is a member of a student organization, athletic team, or living
23 group that was affiliated with a finding of a hazing violation within
24 the last twelve months may not participate in or be a member of the
25 hazing prevention committee.

26 NEW SECTION. **Sec. 4.** A new section is added to chapter 28B.10
27 RCW to read as follows:

28 (1) Beginning with the 2022-23 academic year, each public and
29 private institution of higher education shall maintain and publicly
30 report actual findings of violations by any student organization,
31 athletic team, or living group of the public or private institution
32 of higher education's code of conduct, antihazing policies, or state
33 or federal laws relating to hazing or offenses related to alcohol,
34 drugs, sexual assault, or physical assault.

35 (2) The report shall include the following:

36 (a) The name of the student organization, athletic team, or
37 living group;

38 (b) The date the investigation was initiated;

1 (c) The date on which the investigation ended with a finding that
2 a violation occurred;

3 (d) A description of the incident or incidents, including the
4 date of the initial violation, and the violations, findings, and
5 sanctions placed on the student organization, athletic team, or
6 living group;

7 (e) The details of the sanction or sanctions imposed, including
8 the beginning and end dates of the sanction or sanctions; and

9 (f) The date the student organization, athletic team, or living
10 group was charged with a violation.

11 (3) Investigations that do not result in a finding of formal
12 violations of the student code of conduct or state or federal law
13 shall not be included in the report. The report shall not include any
14 personal or identifying information of individual student members and
15 shall be subject to the requirements of the federal family education
16 rights and privacy act of 1974, 20 U.S.C. Sec. 1232g.

17 (4) Public and private institutions of higher education shall
18 make reports under this section available on their websites in a
19 prominent location clearly labeled and easily accessible from the
20 institution's website.

21 (5) Each public and private institution of higher education shall
22 maintain reports as they are updated for five years and shall post
23 them on their respective websites at least 45 calendar days before
24 the start of each fall academic term and at least 10 days before the
25 start of all other academic terms.

26 NEW SECTION. **Sec. 5.** A new section is added to chapter 28B.10
27 RCW to read as follows:

28 (1) Beginning in the 2022 fall academic term, each public and
29 private institution of higher education shall provide hazing
30 prevention education on the signs and dangers of hazing as well as
31 the institution's prohibition on hazing to employees, including
32 student employees, either in person or electronically. The prevention
33 education shall be provided to employees at the beginning of each
34 academic year and for new employees at the beginning of each academic
35 term.

36 (2) If, as a result of observations or information received in
37 the course of employment or volunteer service, any employee,
38 including a student employee, or volunteer at a public or private
39 institution of higher education has reasonable cause to believe that

1 hazing has occurred, the employee or volunteer shall report the
2 incident, or cause a report to be made, to a designated authority at
3 the institution. The employee or volunteer shall make the report at
4 the first opportunity to do so.

5 (3) "Reasonable cause" means a person who witnesses hazing or
6 receives a credible written or oral report alleging hazing or
7 potential or planned hazing activity.

8 (4) A person who witnesses hazing or has reasonable cause to
9 believe hazing has occurred or will occur and makes a report in good
10 faith may not be sanctioned or punished for the violation of hazing
11 unless the person is directly engaged in the planning, directing, or
12 act of hazing reported.

13 (5) Nothing in this section shall preclude a person from
14 independently reporting hazing or suspected hazing activity to law
15 enforcement.

16 (6) As used in this section, "employee" means a person who is
17 receiving wages from the institution of higher education and is in a
18 position with direct ongoing contact with students in a supervisory
19 role or position of authority. "Employee" does not include a person
20 employed as medical staff or with an affiliated organization, entity,
21 or extension of a postsecondary educational institution, unless the
22 employee has a supervisory role or position of authority over
23 students. "Employee" does not include confidential employees.

24 NEW SECTION. **Sec. 6.** A new section is added to chapter 28B.10
25 RCW to read as follows:

26 (1) Social fraternity and sorority organizations shall notify the
27 public or private institution of higher education before chartering,
28 rechartering, opening, or reopening a local chapter or operating at
29 the public or private institution of higher education.

30 (2) Social fraternity and sorority organizations shall notify the
31 public or private institution of higher education when the
32 organization instigates an investigation of a local chapter at the
33 public or private institution of higher education for hazing or other
34 activity that includes an element of hazing, such as furnishing
35 alcohol to minors. The organization shall provide the results of such
36 investigation and a copy of the full findings report to the public or
37 private institution of higher education's student conduct office.

38 (3) Beginning in the 2022 fall academic term, any local social
39 fraternity or sorority chapter seeking to obtain or maintain

1 registration with any public or private institution of higher
2 education in the state must certify in writing and provide weblinks
3 to that institution showing that the landing pages of all websites
4 owned or maintained by the local chapter contain a full list for the
5 previous five years of all findings of violations of antihazing
6 policies, state or federal laws relating to hazing, alcohol, drugs,
7 sexual assault, or physical assault, or the institution's code of
8 conduct against the local chapter.

9 (4) Failure of a social fraternity or sorority organization to
10 comply with subsections (1) through (3) of this section shall result
11 in automatic loss of recognition until such time that the
12 organization comes into compliance with those subsections.

13 NEW SECTION. **Sec. 7.** This act may be known and cited as the
14 Sam's law act.

15 NEW SECTION. **Sec. 8.** If specific funding for the purposes of
16 this act, referencing this act by bill or chapter number, is not
17 provided by June 30, 2022, in the omnibus appropriations act, this
18 act is null and void."

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19 On page 1, line 2 of the title, after "education;" strike the
20 remainder of the title and insert "amending RCW 28B.10.900; adding
21 new sections to chapter 28B.10 RCW; and creating new sections."

EFFECT: Renames the bill from the "Hazing Prevention and
Reduction Act" to the "Sam's Law Act".

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