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# Legal Update: Anti-Hazing Act

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On May 24, 2016, Governor Wolf signed legislation expanding existing anti-hazing laws applicable to post-secondary institutions to now include public and private school students in grades 7 through 12. House Bill 1574 includes a number of new requirements for LEAs directed at preventing and responding to hazing in schools. The new requirements take effect on July 25, 2016.

Supporters of the new legislation noted that 47% of high school students have experienced some form of "hazing" in school. The law establishes the crime of hazing as a third-degree misdemeanor, punishable by a fine of up to $2,000. Hazing is defined as:

Any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a person or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization. The term shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual, or any willful destruction or removal of public or private property.

Under the revised legislation LEAs are required to:

- Adopt a written anti-hazing policy and provide the policy, along with the schools rules, penalties, and program enforcement mechanism, to all athletic coaches;
- Publish the LEAs anti-hazing policy on its publicly accessible website;
- Notify the school community that expulsion is a potential penalty for a violation of the LEAs anti-hazing rules; and
- Address hazing conduct that occurs on or off school property.

If you have questions, or if we can provide any assistance as you review your existing policies and procedures in connection with this change to the law, please do not hesitate to contact us.