



November 8, 2024

The Honorable Chuck Schumer
Majority Leader
United States Senate
Room S-221, The Capitol
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Room S-230, The Capitol
Washington, DC 20510

Dear Majority Leader Schumer and Minority Leader McConnell:

On behalf of the higher education associations listed below, I write regarding the Stop Campus Hazing Act. While we unequivocally support congressional efforts to address hazing on college campuses, we would like to recommend certain technical adjustments to the Stop Campus Hazing Act to strengthen this important legislation.

Colleges and universities are dedicated to establishing and fostering safe environments where all students can excel. Our institutions stand firmly against hazing in all forms, operate various preventative programs to inform students about the dangers of hazing, and maintain policies to respond to incidents of hazing. Simply put, hazing has no place on college campuses. As a result, we support the overarching purpose of the Stop Campus Hazing Act and applaud congressional efforts to address this important issue.

We also greatly appreciate the willingness of Congress to engage with stakeholders in refining and improving this legislation. Since the bill's introduction over a year ago, it has been modified to incorporate helpful changes. However, some aspects of the bill need further clarification to better ensure it achieves its purpose of protecting students.

We urge the Senate to address the following issues:

Hazing Definition: The definition of “hazing” in the legislation, while much clearer than originally drafted, includes “threatening words or conduct” as an example of a “physical or psychological injury” that could result from hazing. While well-intentioned, we worry that the use of “threatening words” and “psychological injury” could conflict with state and federal legislation protecting freedom of speech, particularly for public institutions that are bound by the requirements of the First Amendment; lead to the reporting and inclusion of instances that are not necessarily hazing; and cause other negative unintended consequences, thereby limiting the accuracy and utility of the reports.

Definition of Student Organization: The bill's definition of “student organization” includes the phrase “whether or not the organization is *established or recognized* by the institution,” (emphasis added) meaning that institutions must include as part of their Clery Act reporting incidents occurring within unrecognized or unaffiliated organizations. This is very problematic because institutions may not even know such organizations exist or how to define them, let alone have control over such groups, making reporting of hazing incidents within these groups incredibly challenging, if not impossible in some instances. Institutions

take Clery Act reporting very seriously, but the inclusion of unrecognized organizations in the reporting of hazing incidents will make an already challenging process much more difficult.

We also believe that limiting the definition of student organization to recognized organizations would not incentivize groups to revoke their affiliation with institutions as the benefits of being affiliated outweigh any perceived reasons to not be recognized. Finally, limiting the definition of student organizations to those that are “established” or have been “recognized” by an institution would make the Clery reporting consistent with the currently required reporting in the “Campus Hazing Transparency Report” specified in Sec. 3 of the bill.

Reporting Obligations: In addition to further Clery reporting, as noted above, the bill establishes a separate Campus Hazing Transparency Report (CHTR) with separate twice-per-year reporting requirements. Given the additional forms of preventative and responsive requirements specified in this bill, the majority of which we support, we ask the Senate to amend the bill to require CHTR reporting only once a year. This change would still enable students, families, community members, and others to have up-to-date information on hazing while decreasing the burden on institutions and allowing them to use already scarce resources to support programs and services that advance the goal of eliminating hazing on campuses.

We greatly appreciate the Senate’s efforts to address this important issue. We look forward to working with the Senate throughout the legislative process to make necessary improvements to ensure this legislation advances our shared goal of eliminating hazing on campuses.

Sincerely,



Ted Mitchell
President

cc: The Honorable Bernie Sanders, Chairman, Committee on Health, Education, Labor and Pensions
The Honorable Bill Cassidy, Ranking Member, Committee on Health, Education, Labor and Pensions

On behalf of:

American Association of Collegiate Registrars and Admissions Officers
American Association of Community Colleges
American Association of State Colleges and Universities
American Council on Education
Association of American Universities
Association of Catholic Colleges and Universities
Association of Governing Boards of Universities and Colleges
Association of Jesuit Colleges and Universities

S.2901, the Stop Campus Hazing Act
November 8, 2024

Association of Public and Land-grant Universities
Council for Christian Colleges & Universities
National Association of College and University Business Officers
National Association of Independent Colleges and Universities
State Higher Education Executive Officers Association