

# ALASKA STATE LEGISLATURE

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## **HB 189: Hazing**

### **Sectional Analysis**

**Sec 1.** Adds to AS 11.61. Subsection (a) defines hazing for as a crime. Section includes related provisions:

- **Sub (b)** exempts athletic or military programs that conduct that is reasonably expected to occur when participating in athletic physical education, military training, or similar programs.
- **Sub (c)** prohibits consent of the victim as a defense against hazing.
- **Sub (d)** defines "organization" as one of a variety of groups whose members are primarily students.
- **Sub (e)** makes hazing a class A misdemeanor.

*All further sections amend AS 14.33.200 - AS 14.33.250*

**Sec 2.** Requires school districts to add hazing to current policy against harassment, intimidation, or bullying.

**Sec 3.** Adds hazing to section regarding the characteristics of and the process for developing school district policy.

**Sec 4.** Adds hazing to DOE model policy against harassment, intimidation, or bullying.

**Sec 5.** Amends reporting requirements to include hazing. Clarifies that schools are required to report any event sponsored or sanctioned by the school, which relates to the 2007 Supreme Court case *Morse v. Frederick* relating to school jurisdictional issues.

**Sec 6.** Extends protections from retaliation to victims and witnesses of hazing.

**Sec 7.** Extends reporting requirements to appropriate school officials to include acts of hazing.

**Sec 8.** Extends discipline against those accusing falsely and in bad faith, or providing false information, to include acts of hazing.

**Sec 9.** Extends immunity from suit for good faith whistleblowers to include acts of hazing.

**Sec 10.** Defines "hazing" and "organization" for the purpose of school policy. This definition of "hazing" broadens the criminal definition by including acts that subject students to risk of mental or emotional injury or damage of their property.