



Alaska State Legislature

Senator Anna Fairclough – Senate District M

Sectional Analysis SB 91: Hazing

Sec 1. Adds a new section to AS 11.61, AS 11.61.115.

- Subsection (a) defines hazing as a crime.
- Subsection (b) exempts athletic or military programs that are normal, customary, and sanctioned.
- Subsection (c) prohibits consent of the victim as a defense against hazing.
- Subsection (d) defines “organization” as one of a variety of groups whose members are primarily students.
- Subsection (e) makes hazing a class A misdemeanor.
- Subsection (f) makes hazing causing death or serious physical injury a class B felony.

Sec 2. Amends AS 14.33.200(a). Requires school districts to add hazing to current policy against harassment, intimidation, or bullying.

Sec 3. Amends AS 14.33.200(b). Concurs with Sec 2 regarding guidelines for current policy.

Sec 4. Amends AS 14.33.200(c). Adds hazing to Department of Education and Early Development (DEED) model policy against harassment, intimidation, or bullying.

Sec 5. Amends AS 14.33.210. 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. Amends AS 14.33.220(a). Extends protections from retaliation to victims and witnesses of hazing.

Sec 7. Amends AS 14.33.220(b). Extends reporting requirements to appropriate school officials to include acts of hazing.

Sec 8. Amends AS 14.33.220(c). Extends discipline against those accusing falsely and in bad faith, or providing false information, to include acts of hazing.

Sec 9. Amends AS 14.33.230. Extends immunity from suit for good faith whistleblowers to include acts of hazing.

Sec 10. Amends AS 14.33.250. 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.