



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4253

Introduced 1/16/2024, by Rep. Kam Buckner

SYNOPSIS AS INTRODUCED:

New Act
720 ILCS 5/12C-50

Creates the Higher Education Violation Reporting Act. Provides that each public and private institution of higher education shall maintain a report publicly reporting actual findings of violations by any student organization, athletic team, or living group of the institution's code of conduct or anti-hazing policy or State or federal laws relating to hazing or alcohol, drugs, sexual assault, or physical assault. Provides that an institution of higher education shall provide hazing prevention education to employees. Provides that if an employee or volunteer at an institution of higher education has reasonable cause to believe that hazing has occurred, the employee or volunteer shall report the incident. Amends the Criminal Code of 2012. In provisions concerning hazing, provides that a person commits hazing when he or she knowingly requires the performance of any act by a student or other person in a school, college, university, or other educational institution of this State for the purpose of induction or admission into or maintenance of membership in (instead of only for the purpose of induction or admission into) any group, organization, or society associated or connected with that institution if the act meets certain requirements; makes changes to the requirements. Provides that an act may be considered hazing regardless of whether the student or other person is willing to participate in the act. Effective July 1, 2024.

LRB103 34781 RJT 64631 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Higher
5 Education Violation Reporting Act.

6 Section 5. Definitions. In this Act:

7 "Employee" means a person who is receiving wages from an
8 institution of higher education and is in a position with
9 direct, ongoing contact with students in a supervisory role or
10 position of authority. "Employee" does not include a person
11 employed as medical staff or with an affiliated organization,
12 entity, or extension of an institution of higher education,
13 unless the employee has a supervisory role or position of
14 authority over students. "Employee" does not include
15 confidential employees.

16 "Institution of higher education" means a public or
17 private institution of higher education located in this State.

18 "Reasonable cause" means a person who witnesses hazing or
19 receives a credible written or oral report alleging hazing or
20 potential or planned hazing activity.

21 Section 10. Violation reporting.

22 (a) Beginning with the 2024-2025 academic year, each

1 institution of higher education shall maintain a report on the
2 institution's website publicly reporting actual findings of
3 violations by any student organization, athletic team, or
4 living group of the institution of higher education's code of
5 conduct or anti-hazing policy or State or federal laws
6 relating to hazing or alcohol, drugs, sexual assault, or
7 physical assault. The report shall include all of the
8 following:

9 (1) The name of the student organization, athletic
10 team, or living group.

11 (2) The date the investigation was initiated.

12 (3) The date on which the investigation ended with a
13 finding that a violation occurred.

14 (4) The date the student organization, athletic team,
15 or living group was charged with a violation.

16 (5) A description of the violation, including the date
17 of the violation, and the findings and sanction placed on
18 the student organization, athletic team, or living group.

19 (6) The details of the sanction imposed, including the
20 beginning and end dates of the sanction.

21 (b) An investigation that does not result in a finding of a
22 formal violation of the student code of conduct, anti-hazing
23 policy, or State or federal law may not be included in the
24 report under this Section. The report may not include any
25 personal or identifying information of individual students and
26 shall be subject to the requirements of the federal Family

1 Educational Rights and Privacy Act of 1974 and the Illinois
2 School Student Records Act.

3 (c) The institution of higher education shall make the
4 report under this Section available on its website in a
5 prominent location clearly labeled and easily accessible from
6 the institution's website.

7 (d) The institution of higher education shall maintain and
8 update the information in the report for 5 years after that
9 information was first included in the report and shall post
10 the information in the report on its website at least 45
11 calendar days before the start of each fall academic term and
12 at least 10 days before the start of all other academic terms.

13 Section 15. Hazing prevention.

14 (a) Beginning with the 2024-2025 academic year, an
15 institution of higher education shall provide hazing
16 prevention education on the signs and dangers of hazing, as
17 well as the institution of higher education's prohibition on
18 hazing, to employees, including student employees, either in
19 person or electronically. The prevention education shall be
20 provided to employees at the beginning of each academic year.
21 In addition, the prevention education shall be provided to new
22 employees at the beginning of the academic term after they are
23 hired.

24 (b) If, as a result of observations or information
25 received in the course of employment or volunteer service, an

1 employee, including a student employee, or volunteer at an
2 institution of higher education has reasonable cause to
3 believe that hazing has occurred, the employee or volunteer
4 shall report the incident or cause a report to be made to a
5 designated authority at the institution of higher education at
6 the first opportunity available.

7 (c) A person who witnesses hazing or has reasonable cause
8 to believe hazing has occurred or will occur and who makes a
9 report to an institution of higher education in good faith may
10 not be sanctioned or punished by the institution for higher
11 education for the hazing unless the person was directly
12 engaged in the planning, directing, or act of hazing that is
13 being reported.

14 (d) Nothing in this Section precludes a person from
15 independently reporting hazing or suspected hazing activity to
16 a law enforcement agency.

17 Section 20. The Criminal Code of 2012 is amended by
18 changing Section 12C-50 as follows:

19 (720 ILCS 5/12C-50)

20 Sec. 12C-50. Hazing.

21 (a) A person commits hazing when he or she knowingly
22 requires the performance of any act by a student or other
23 person in a school, college, university, or other educational
24 institution of this State, for the purpose of induction or

1 admission into or maintenance of membership in any group,
2 organization, or society associated or connected with that
3 institution, regardless of the student or other person's
4 willingness to participate in the act, if:

5 (1) the act is not sanctioned or authorized by that
6 educational institution; and

7 (2) the act either (i) is likely to contribute to a
8 substantial risk of physical injury to, adverse mental
9 health outcomes for, or degradation of any person or (ii)
10 causes physical injury to, adverse mental health outcomes
11 for, or degradation of ~~results in bodily harm to~~ any
12 person.

13 (b) Sentence. Hazing is a Class A misdemeanor, except that
14 hazing that results in death or great bodily harm is a Class 4
15 felony.

16 (Source: P.A. 97-1109, eff. 1-1-13.)

17 Section 99. Effective date. This Act takes effect July 1,
18 2024.