

SENATE FILE NO. SF0175

Hazing.

Sponsored by: Senator(s) Rothfuss and Representative(s)
Berger, Brown, Chestek and Provenza

A BILL

for

1 AN ACT relating to education; requiring school districts to
2 adopt a policy on hazing in addition to policies on
3 harassment, intimidation or bullying; requiring the
4 University of Wyoming and the community colleges to adopt
5 policies on hazing; and providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 21-4-312(a) by creating a new
10 paragraph (iii) and by renumbering (iii) as (iv),
11 21-4-313(a)(i) and (ii), 21-4-314(a), (b)(intro), (i)
12 through (iv), (vi), (vii), (ix), (c), (e) and (f),
13 21-17-204 by creating a new subsection (d) and 21-18-304(a)
14 by creating a new paragraph (xii) are amended to read:

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1 **21-4-312. Definitions.**

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3 (a) As used in this act:

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5 (iii) "Hazing" means an intentional act or
6 situation that is committed or created for the purpose of
7 membership or affiliation with a group, team or other
8 person and that causes embarrassment, harassment or
9 ridicule or risks emotional or physical harm to a student
10 or employee. "Hazing" can occur regardless of the person's
11 willingness or consent to participate in the act or
12 situation;

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14 ~~(iii)~~(iv) "This act" means W.S. 21-4-311 through
15 21-4-315.

16

17 **21-4-313. Prohibition against hazing or harassment,**
18 **intimidation or bullying; reporting to school officials.**

19

20 (a) No person shall engage in:

21

22 (i) Hazing or harassment, intimidation or
23 bullying; or

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2 (ii) Reprisal or retaliation against a victim,
3 witness or person who reports information about an act of
4 hazing or harassment, intimidation or bullying.

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6 **21-4-314. School district implementation; state**
7 **policies, training and technical assistance.**

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9 (a) ~~Not later than December 31, 2009,~~ Each school
10 district shall adopt a policy prohibiting hazing and
11 harassment, intimidation or bullying at school. The school
12 district shall involve parents and guardians, school
13 employees, volunteers, students, administrators and
14 community representatives in the process of creating the
15 policy. Policies created under this section shall be
16 continuously reviewed and may be revised as necessary.

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18 (b) The policy prohibiting hazing and harassment,
19 intimidation or bullying shall include, without limitation:

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21 (i) A statement prohibiting harassment,
22 intimidation or bullying of a student and a statement
23 prohibiting hazing;

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2 (ii) A definition of "harassment, intimidation
3 or bullying" which includes at minimum the definition as
4 provided in W.S. 21-4-312(a)(i) and a definition of
5 "hazing" which includes at minimum the definition as
6 provided in W.S. 21-4-312(a)(iii);

7

8 (iii) Consequences and appropriate remedial
9 actions for persons committing acts of hazing or
10 harassment, intimidation or bullying or engaging in
11 reprisal or retaliation;

12

13 (iv) Procedures for reporting and documenting
14 acts of hazing or harassment, intimidation or bullying,
15 including a provision for reporting anonymously. However,
16 formal disciplinary action shall not be taken solely on the
17 basis of an anonymous report. The procedures shall
18 identify the appropriate school personnel responsible for
19 receiving a report and investigating a complaint;

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21 (vi) A statement that prohibits reprisal or
22 retaliation against a person who reports or makes a

1 complaint of hazing or harassment, intimidation or
2 bullying;

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4 (vii) A strategy for protecting a victim from
5 additional hazing or harassment, intimidation or bullying,
6 and from retaliation following a report;

7

8 (ix) A process for discussing the district's
9 hazing and harassment, intimidation or bullying policy with
10 students; and

11

12 (c) To assist local school districts in developing a
13 policy under subsection (b) of this section, the department
14 of education shall ~~not later than September 1, 2009,~~
15 develop model policies applicable to grades kindergarten
16 through twelve (12) and teacher preparation program
17 standards on the identification and prevention of hazing
18 and harassment, intimidation or bullying. In addition, the
19 department shall provide necessary training programs and
20 technical assistance to districts in carrying out this act.

21

22 (e) Information regarding the school district's
23 policy against hazing and harassment, intimidation or

1 bullying shall be incorporated into each district's
2 professional development programs and shall be provided to
3 volunteers and other noncertified employees of the district
4 who have significant contact with students.

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6 (f) School districts may establish hazing and
7 harassment, intimidation or bullying prevention programs or
8 other initiatives and may involve school staff, students,
9 administrators, volunteers, parents, law enforcement and
10 community members.

11

12 **21-17-204. Additional powers and duties; sectarian or**
13 **partisan instruction or test prohibited.**

14

15 (d) To provide for the government of students, the
16 board of trustees shall adopt a policy prohibiting hazing.
17 The policy shall include a definition of "hazing" which
18 includes at minimum the definition as provided in W.S.
19 21-4-312(a)(iii).

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21 **21-18-304. District board generally; duties.**

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23 (a) The community college district board shall:

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2 (xii) Adopt a policy prohibiting hazing. The
3 policy shall include a definition of "hazing" which
4 includes at minimum the definition as provided in W.S.
5 21-4-312(a)(iii).

6

7 **Section 2.**

8

9 (a) Not later than November 1, 2023, the department
10 of education shall develop model policies applicable to
11 grades kindergarten through twelve (12) and teacher
12 preparation program standards on the identification and
13 prevention of hazing as provided in W.S. 21-4-314(c), as
14 amended in section 1 of this act.

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16 (b) Not later than July 1, 2024, each school district
17 shall adopt a policy prohibiting hazing as provided in W.S.
18 21-4-314(a) and (b), as amended in section 1 of this act.

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20 (c) Not later than July 1, 2024, the University of
21 Wyoming shall adopt a policy prohibiting hazing as provided
22 in W.S. 21-17-204(a), as amended in section 1 of this act.

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1 (d) Not later than July 1, 2024, community colleges
2 shall adopt a policy prohibiting hazing as provided in W.S.
3 21-18-304(a)(xii), as amended in section 1 of this act.

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5 **Section 3.** This act is effective July 1, 2023.

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(END)