

SENATE FILE NO. SF0059

Hazing.

Sponsored by: Joint Education Interim Committee

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.

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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) and (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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16 **21-4-312. Definitions.**

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2 (a) As used in this act:

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

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12 ~~(iii)~~(iv) "This act" means W.S. 21-4-311 through
13 21-4-315.

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15 **21-4-313. Prohibition against hazing or harassment,**
16 **intimidation or bullying; reporting to school officials.**

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18 (a) No person shall engage in:

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20 (i) Hazing or harassment, intimidation or
21 bullying; or

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

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5 **21-4-314. School district implementation; state**
6 **policies, training and technical assistance.**

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

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

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

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

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

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

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20 (vi) A statement that prohibits reprisal or
21 retaliation against a person who reports or makes a
22 complaint of hazing or harassment, intimidation or
23 bullying;

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

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

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

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20 (e) Information regarding the school district's
21 policy against hazing and harassment, intimidation or
22 bullying shall be incorporated into each district's
23 professional development programs and shall be provided to

1 volunteers and other noncertified employees of the district
2 who have significant contact with students.

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

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10 **21-17-204. Additional powers and duties; sectarian or**
11 **partisan instruction or test prohibited.**

12

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

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19 **21-18-304. District board generally; duties.**

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21 (a) The community college district board shall:

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