



Governor Wolf and the Pennsylvania Legislature Crack Down on Hazing in Secondary Schools

Insights

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On May 24, 2016, Governor Tom Wolf signed legislation requiring Pennsylvania secondary schools to adopt policies and procedures to prevent and correct hazing in schools.

House Bill 1574, sponsored by Rep. Ron Marsico, expanded Pennsylvania's current Anti-Hazing Law of 1986, which was only applicable to institutions of higher education. Governor Wolf, in signing HB 1574, explained that the "expansion of the current anti-hazing law...is a huge step in keeping Pennsylvania students protected from bullying and abuse." Governor Wolf continued, "children need to feel safe during the school day, as well as after school, in order to achieve the highest educational success. This bill will allow schools take necessary steps to help ensure that."

HB 1574 requires that secondary schools take several steps to address hazing issues in schools. Specifically, HB 1574:

1. expands the current law to apply to secondary schools, defined as any public or private school providing instruction to grades 7 through 12;
2. expands the definition of hazing to apply the prohibited behaviors to any person, rather than only a student;
3. requires the governing board of each secondary school to adopt a written anti-hazing policy, rules for implementing the policy, penalties for violation of the policy, and program for enforcement of the policy (an obligation that already existed for institutions of higher education under the Anti-Hazing Law of 1986);
4. requires each governing board of a secondary school to post its written anti-hazing policy on its website; and
5. requires each secondary school to provide its anti-hazing policy, rules, penalties, and program of enforcement to all athletic coaches involved in organizations within the secondary school.

Further, HB 1574 specifically provides a list of potential appropriate penalties to satisfy number 3, above, including fines, the withholding of diplomas or transcripts, suspension, dismissal, or expulsion. If an organization violates the anti-hazing policies, appropriate penalties can also include rescission of permission for that organization to operate at the school or under the sanction or recognition of the school.

This new law will take effect on July 25, 2016.

Based on the requirements now imposed on secondary schools and the short timeframe for compliance with those obligations, all Pennsylvania secondary schools must endeavor to draft the requisite policies, rules, penalties, and program for enforcement with haste. Once drafted, those documents should be distributed as required by the law on or before July 25, 2016.

If you have any questions regarding this law or the implementation of its new requirements, please contact your regular Fisher Phillips attorney or the author of this article at (610) 230-2141 or mgaley@fisherphillips.com.

Related People



Michael R. Galey
Partner
610.230.2141
Email