

Individual consequences. Whoever commits hazing is guilty of a misdemeanor. Whoever participates in having forfeits state-funded grants, scholarships or awards for a period determined by the post-secondary institution.

Organization, association, student living group consequences. Any student organization, association or student living group that permits hazing is liable for damage caused to a person or property. If the organization, association or student living group is a corporation, the directors of the corporation may be held individually liable for damages. Any organization, association or student living group that knowingly permits hazing to be conducted by its members or other subject to its direction or control shall forfeit any official recognition or approval granted by a post-secondary institution.

Failure to report hazing. Any administrator, faculty member, coach, employee, independent contractor or volunteer at an institution who knows or reasonably should know of hazing conduct and fails to report the incident to a law enforcement agency is guilty of a misdemeanor.

Post-secondary institution requirements.

Code of conduct, instructional materials

Institutions shall prohibit hazing both off- and on-campus in their codes of conduct. Beginning in the fall 2025 term, institutions shall provide students with an educational program on hazing. The program may be offered either in person or electronically. This program shall be incorporated into new student orientation. The program must be posted on the institution's website for public viewing.

Instructional materials provided to student organizations, athletic teams or living groups shall include a statement on the institution's anti-hazing policy and on the dangers of hazing.

Hazing prevention committee

Post-secondary institutions shall establish a hazing prevention committee with a minimum of six members. The chair shall be appointed by the institution's president. Fifty percent of the committee shall be composed of currently enrolled students, with at least one student position being filled by a student from a student organization, athletic team, or living group. The remaining fifty percent shall include at least one faculty or staff member and one parent or legal guardian of a currently enrolled student. Students who are members of an organization, athletic team or living group that was affiliated with a hazing violation within the last 12 months may not participate in or be a member of the hazing prevention committee.

Annual report

Beginning in the 2025-26 academic year, institutions will maintain and publicly report actual findings of violation. SB10 stipulates the reporting requirements. The annual report must be made available on the institution's website in a prominent location that is clearly labeled and easily accessible. Institutions are to post the reports at least 45 calendar days before the start of the fall term and at least 10 days before the start of all other academic terms. Reports shall be updated and maintained for five years.

Hazing prevention education

Beginning in fall 2025 post-secondary institutions shall provide hazing prevention

education, to include the signs and dangers of hazing, to institutional employees. This training may be provided either in person or electronically. This training is to occur at the beginning of each academic year. New employees are to be trained at the beginning of each academic term.

Witness protection

An individual who witnesses hazing or has a reasonable cause to believe hazing has or will occur and makes a report in good faith may not be sanctioned or punished for the violation of hazing unless the person is directly engaged in the planning, directing or the act of hazing reported.

Social fraternity and sororities. SB10 provides specific requirements for social fraternities and sororities.

FISCAL IMPLICATIONS

SB10 does not appropriate funds. There will be institutional costs associated with the development and dissemination of training materials.

SIGNIFICANT ISSUES

New Mexico Independent Community Colleges (NMICC) is comprised of New Mexico's 8 independent community colleges (Clovis Community College, Central New Mexico College, Luna Community College, Mesalands Community College, New Mexico Junior College, Southeast New Mexico College, Santa Fe Community College, San Juan College), the New Mexico Military Institute, and both Northern New Mexico College and Western New Mexico University – four-year institutions that also serve a community college mission.

Hazing – activities that humiliate, degrade, abuse or endangers a person – regardless of the person's willingness to participate – has no place in post-secondary education. Six states (Montana, Wyoming, South Dakota, Alaska, Hawai'i, New Mexico) do not have an anti-hazing law.