

11101414D

**HOUSE BILL NO. 1576**

Offered January 12, 2011

Prefiled January 5, 2011

*A BILL to amend and reenact § 18.2-56 of the Code of Virginia, relating to bullying and hazing.*

Patrons—Ebbin, Englin, BaCote, Filler-Corn, Kory, McQuinn and Miller, P.J.; Senator: Ticer

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:****1. That § 18.2-56 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-56. Hazing and bullying unlawful; civil and criminal liability; duty of school, etc., officials.

It shall be unlawful to haze *or bully* so as to cause bodily injury, any student at any school, college, or university.

Any person found guilty thereof shall be guilty of a Class 1 misdemeanor.

Any person receiving bodily injury by hazing *or bullying* shall have a right to sue, civilly, the person or persons guilty thereof, whether adults or infants.

The president or other presiding official of any school, college or university receiving appropriations from the state treasury shall, upon satisfactory proof of the guilt of any student hazing *or bullying* another student, sanction and discipline such student in accordance with the institution's policies and procedures. The institution's policies and procedures shall provide for expulsions or other appropriate discipline based on the facts and circumstances of each case. The president or other presiding official of any school, college or university receiving appropriations from the state treasury shall report hazing ~~which~~ *or bullying that* causes bodily injury to the attorney for the Commonwealth of the county or city in which such school, college or university is, who shall take such action as he deems appropriate.

For the purposes of this section, "hazing" means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily injury on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity.

For the purposes of this section, "bullying" means recklessly or intentionally endangering the health or safety of a student by exposing the student repeatedly, and over time, to physical aggression or intimidation, whether through direct physical contact or through the use of information or communication technology, resulting in bodily injury or other harm to person or property. This definition shall not supersede or limit any definition of bullying used in guidelines for codes of student conduct developed by the Board of Education or the actual codes of student conduct adopted by school boards pursuant to § 22.1-279.6.

INTRODUCED

HB1576