

18A:3-24 to 18A:3-27
LEGISLATIVE HISTORY CHECKLIST
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NJSA: 18A:3-24 to 18A:3-27 ("Pledges Bill of Rights")

LAWS OF: 1991 **CHAPTER:** 388

Bill No: A684

Sponsor(s): Mazur and Duch

Date Introduced: ---

Committee: Assembly: Higher Education

Senate: Education

Amended during passage: Yes Amendments denoted by asterisks

Date of Passage: Assembly: April 5, 1990 Re-enacted 1-13-92

Senate: December 9, 1991 Re-enacted 1-13-92

Date of Approval: January 16, 1992

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: Yes

Message on signing: No

Following were printed:

Reports: No

Hearings: No

For background see:

974.90 New Jersey. Legislature. Assembly. Specialy Committe on
C697 College Alcohol Abuse and Hazing.
1988a Public meeting to discuss policies...held 3-10-88. Trenton, 1988.

974.90 New Jersey. Legislature. Assembly. Special Committee on College
C697 Alcohol Abuse and Hazing.
1988b Public hearing held 3-23-88. Trenton, 1988.

974.90 New Jersey. Legislature. Assembly. Special Committee on College
C697 Alcohol Abuse and Hazing
1988c Public meeting held 4-25-88. Trenton, 1988.

§§1-4
C.18A:3-24
to
18A:3-27

P.L.1991, CHAPTER 388, *approved January 16, 1992*
1990 Assembly No. 684 (*First Reprint*)

AN ACT directing the Chancellor of Higher Education to develop a "Pledge's Bill of Rights" for members of college and university fraternities and sororities and supplementing chapter 3 of Title 18A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The Legislature finds and declares that the well-being and safety of college and university students who are members of or are attempting to become members of fraternities and sororities and other similar campus organizations requires a delineation of the responsibilities of those organizations in regard to rush or pledge activities and a declaration of a bill of rights for those students who participate in such activities.

2. The Chancellor of Higher Education shall develop a "Pledge's Bill of Rights" which outlines acceptable and unacceptable behavior and activities in regard to the pledge or rushing activities of college and university fraternities and sororities and other similar campus organizations. In developing the bill of rights, the chancellor shall review the existing pledge and anti-hazing policies and procedures of public and independent institutions of higher education within the State and shall, as appropriate, incorporate those policies into the bill of rights. The chancellor shall make the "Pledge's Bill of Rights" available to each institution of higher education within the State.

3. The bill of rights developed by the chancellor pursuant to section 2 of this act shall include information on the criminal penalties for hazing and aggravated hazing established pursuant to P.L.1980, c.169 (C.2C:40-3 et seq.).

4. Every public and independent institution of higher education within the State shall ensure that any student who participates in pledging activities at that institution receives ¹[and signs]¹ a copy of the "Pledge's Bill of Rights." ¹[The signed copy shall be kept on file by the institution in the Office of the Dean of Students.]¹

¹[5. The State Board of Higher Education shall adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to effectuate the

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly amendments adopted in accordance with Governor's recommendations January 13, 1992.

purposes of this act.]¹

¹[6.] 5.1 This act shall take effect immediately.

HIGHER EDUCATION

Directs Chancellor of Higher Education to develop a "Pledge's Bill of Rights."

SPONSOR 'S STATEMENT

STATEMENT

This bill directs the Chancellor of Higher Education to develop a "Pledge's Bill of Rights" which outlines acceptable and unacceptable behavior and activities in regard to the pledging activities of college and university fraternities and sororities and other similar campus organizations. The bill of rights is also to include information on the criminal penalties for hazing and aggravated hazing established pursuant to P.L.1980, c.169; C.2C:40-3 et seq.

The bill provides that every public and independent institution of higher education within the State shall ensure that any student who participates in pledging activities at that institution receives and signs a copy of the "Pledge's Bill of Rights" and that the signed copy be kept on file in the Office of the Dean of Students.

ASSEMBLY HIGHER EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 684

STATE OF NEW JERSEY

DATED: MARCH 15, 1990

The Assembly Higher Education and Regulated Professions Committee favorably reports Assembly Bill No. 684.

This bill directs the Chancellor of Higher Education to develop a "Pledge's Bill of Rights" which outlines acceptable and unacceptable behavior and activities in regard to the pledging activities of college and university fraternities and sororities and other similar campus organizations. The bill of rights is also to include information on the criminal penalties for hazing and aggravated hazing established pursuant to P.L.1980, c.169; C.2C:40-3 et seq.

The bill provides that every public and independent institution of higher education within the State shall ensure that any student who participates in pledging activities at that institution receives and signs a copy of the "Pledge's Bill of Rights" and that the signed copy be kept on file in the Office of the Dean of Students.

A representative of the Association of Independent Colleges and Universities in New Jersey spoke in opposition to the bill.

This bill was pre-filed for introduction in the 1990 session pending technical review. As reported the bill includes the changes required by technical review which has been performed.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 684

STATE OF NEW JERSEY

DATED: MAY 14, 1990

The Senate Education Committee favorably reports this bill without committee amendments.

This bill directs the Chancellor of Higher Education to develop a "Pledge's Bill of Rights" which outlines acceptable and unacceptable behavior and activities in regard to the pledging activities of college and university fraternities and sororities and other similar campus organizations. The bill of rights is also to include information on the criminal penalties for hazing and aggravated hazing established pursuant to P.L.1980, c.169; C.2C:40-3 et seq.

The bill provides that every public and independent institution of higher education within the State shall ensure that any student who participates in pledging activities at that institution receives and signs a copy of the "Pledge's Bill of Rights" and that the signed copy be kept on file in the Office of the Dean of Students.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

January 13, 1992

ASSEMBLY BILL NO. 684

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am herewith returning Assembly Bill No. 684 with my objections for reconsideration.

This bill requires the Chancellor of Higher Education to regulate the activities of campus organizations, such as fraternities and sororities, toward students in order to prevent injury and the potential abuse of students by these same organizations and their members. The legislation requires that each public and independent institution of higher education in the State ensure that any student who participates in pledging activities with a fraternity or sorority receives and signs a copy of the "Pledge's Bill of Rights" to be developed by the Chancellor.

The intent of this legislation is to eliminate dangerous hazing practices frequently engaged in by college fraternities and sororities by informing students of acceptable and unacceptable pledging activities. While I share that goal, I am concerned that this bill may be interpreted to limit the liability of fraternities and sororities, if students engage in potentially harmful pledge activities with the knowledge that they are prohibited. In addition, a signed pledge kept on file with a college or university may increase that institution's liability through its responsibility to act in loco parentis.

A preferable approach to accomplish the same important task of eliminating hazing and other dangerous practices is for the Chancellor of Higher Education to develop a "Pledges' Bill of Rights," outlining acceptable and unacceptable behavior by fraternities and sororities. The Chancellor should then make this code available to students and campus organizations.

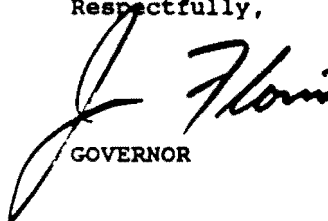
STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

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Therefore, I herewith return Assembly Bill No. 684 and recommend that it be amended as follows:

Page 1, Section 4, Line 32: Delete "and signs"
Page 1, Section 4, Lines 33-34: Delete "The signed copy shall be kept on file by the institution in the Office of the Dean of Students."
Page 1, Section 5, Lines 35-38: Delete in entirety
Page 1, Section 6, Line 39: Delete "6." insert "5."

Respectfully,


GOVERNOR

Attest:


Chief Counsel to the Governor