

Beyond the Iceberg:

Navigating the Stop Campus Hazing Act

Introduction: A New National Mandate

On January 16, 2026, a multi-disciplinary panel of experts met virtually. Panelist and former U.S. Department of Education Clery Group leader Jim Moore joined facilitator Jonathan Kassa (both as Senior Executive Consultants with CriticalArc Consulting), plus Hillary Pettegrew of United Educators, and Peter Lake, of Stetson University's College of Law, discussed and highlighted risks for senior executive leaders at the cabinet and board levels. The following report summarizes key insights for IHE executives to consider in their oversight role.

Hazing remains one of the most serious safety and wellness challenges on American college campuses, persisting despite years of institutional efforts to mitigate it. In a rare showing of unanimous bipartisanship, the United States Congress passed the Stop Campus Hazing Act (SCHA) to address this ongoing crisis that has needlessly harmed too many students lives.

This legislative action amends the Jeanne Clery Campus Safety Act and underscores a profound level of concern regarding institutional accountability and student protection. The SCHA requires senior leadership to move beyond transactional compliance towards a comprehensive framework with policy development, prevention programming, incident classification, reporting obligations, and campus transparency requirements.

I. The "DNA of Failure": Linking Campus Security Authority Oversight to SCHA Risk

Senior executives must recognize that institutional failures in their Campus Security Authority (CSA) program and overall Clery Act oversight are not isolated administrative lapses; they are strong indicators of potential non-compliance with the SCHA since they share the same structural "DNA of failure" risks with other previously existing requirements.



Failures in Prevention Programming:

As often witnessed with Violence Against Women Act (VAWA) non-compliance, the SCHA is likely no different in mirroring structural failures in prevention efforts.

Similar Reporting Issues:

The administrative capacity required to manage the new mandates, such as biannual transparency reports and expanded statistical tracking, relies on the same institution-wide coordination and reporting that many IHEs may already struggle to maintain.

The CSA Link:

Successful compliance requires a cross-functional team with expertise in areas such as housing, human resources, student affairs, conduct, and legal counsel.

II. The Fallacy of "Single-Hub" Coordination Hobbles Administrative Capacity

A significant risk to institutional stability is the attempt to have a single person, such as a Clery Act Coordinator or a small group, manage all compliance obligations with minimal resources and authority for an institution's vast span-of-control.

The Strategic Blind Spot:

Without an integrated cross-functional team, an institution lacks the capacity to identify the diverse variety of traditional and non-traditional student groups where hazing may occur.

The "Off-Radar" Threat:

A poorly coordinated team is unlikely to meet the SCHA's requirement to track both recognized and unrecognized organizations, many of which deliberately operate "off the radar" to avoid scrutiny.

Public Safety Overreliance:

Leaders relying on a single-point-of-failure Clery Act compliance model, often under-resourced and lacking sufficient authority, compound risk by overburdening a department responsible for investigating criminal incidents, but not non-criminal misconduct that nonetheless meets the SCHA definition of hazing.





III. Data Silos and "Willful Blindness"

Institutional failure often stems from the tendency to isolate incidents into narrow categories that minimize impact and detection, rather than identifying broader patterns.

Misclassification:

For example, if CSAs or administrators treat a report simply as a residence hall conduct violation or an alcohol policy breach without communicating with a centralized coordinator, the "pattern of behavior" is more likely to remain hidden.

Pattern Recognition:

Hazing is rarely a single act; it is typically any combination of behaviors, such as, alcohol consumption, physical assault, psychological harm, and sleep deprivation.

Enterprise Risk Management Exposure:

A lack of data centralization creates a dysfunctional state of "willful blindness" in an organization, increasing the institution's exposure to catastrophic failure resulting in death, harm, lawsuits, and federal audits.



IV. The "Iceberg Phenomenon," the Risk of "Sacred Cows," and Policy

Internal Resolution:

Inability to support a robust CSA program is an indicator that often means that individuals in power, such as coaches or directors of prestigious programs, are not properly integrated into the reporting structure. These leaders may choose to "handle it themselves" rather than documenting incidents, leaving no official record for compliance, let alone consistency, thereby isolating essential reports within data silos.

Executive Surprise:

Without comprehensive systems to foresee and detect incidents across all operations and groups, presidents and boards are frequently surprised by scandals they claim they "never knew" existed – but should have known.

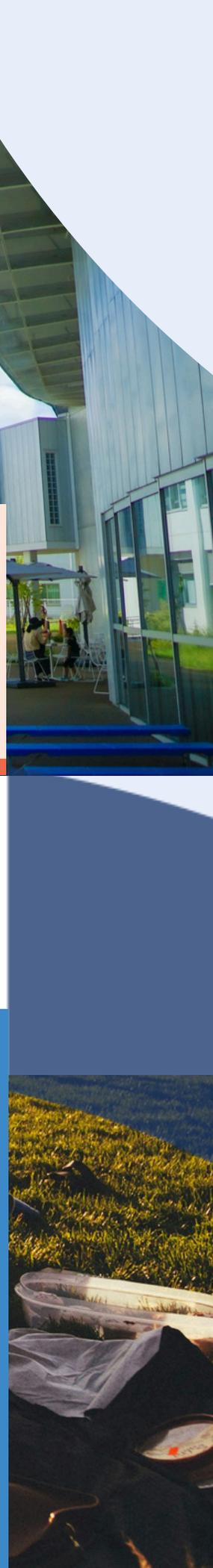
Avoid the "Zero Tolerance" Trap:

While "Zero Tolerance" policies appeal to boards of trustees and presidents, they often create an enforcement paradox that increases institutional risk due to poor policy construction and unrealistic, inconsistent application. This is an enforcement priority for the U.S. Department of Education.

Deconflict State and Federal Mandates

An organic conflict exists due to the SCHA allowing applicable state anti-hazing laws to suffice for their Clery Act policy statement, a regulatory compliance convenience that needs testing due to incompatible requirements.

Hazing is frequently an "iceberg phenomenon" where only the visible "tip" is reported. Administrative failures often occur when high-status "sacred cow" individuals or programs, whether athletic, academic or otherwise, are exempt from transparency and rigorous oversight.



V. The Burden of Radical Transparency and Prevention



The SCHA introduces a specific administrative hurdle: the **Campus Hazing Transparency Report**, which must be updated on an institution's website every six months.

- **Transactional Risk:** Institutions relying on "checklist management" are more likely to struggle with maintaining this pace and accuracy. Even during a "zero-case" reporting timeframe, failing to proactively report can trigger complaints from outside advocates that increase risk for a federal investigation.
- **Cultural Resistance:** Students within offending groups often exhibit a "follow the leader" mentality or cultural resistance that defies standard prevention efforts. Senior leaders must ensure that their institution provides strategies for building group cohesion without hazing because this is an enforcement priority for the U.S. Department of Education.

Conclusion: From Compliance to Orchestration

Managing SCHA risk is an obligation that cannot be delegated to a single office. For boards, cabinet members, and senior executives, the SCHA represents a shift from "checking boxes" to deliberate ERM-based orchestration. Ensuring that accountability and data flow seamlessly from the front line to the boardroom in an oversight feedback loop is the optimal way to protect students while safeguarding their institution's mission, reputation, and bottom line.



Additional Information

You can access the full recorded webinar here:

[Transparency, Prevention & Compliance: The Stop Campus Hazing Act Explained.](#)

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United Educators (UE) provides insurance and risk management exclusively for educational institutions. If your institution is a UE member (meaning it purchases at least one insurance policy), you will have access to their extensive, free risk management collection, including these resources related to hazing:

- [Recognize and Prevent Hazing Course Collection](#)
- [Checklist: Federal Stop Campus Hazing Act](#)
- [The Federal Stop Campus Hazing Act: Navigating Your Institution's Compliance](#)

You'll first need to register using your institutional email address; just click "Sign In" on the upper right side of the home page (www.ue.org) and follow the prompts. If you don't know your institutional status as a member, inquire by emailing Hillary (hpettegrew@ue.org).

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CriticalArc partners with U.S. colleges and universities to reduce institutional risk, strengthen governance, and demonstrate defensible compliance with the Jeanne Clery Act, Stop Campus Hazing, Violence Against Women Acts, plus related federal and state mandates.



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