

Hazing Defined

The 70th Texas Legislature enacted a law concerning hazing. Under the law, individuals or organizations engaging in hazing could be subject to fines and charged with a criminal offense.

According to the law, a person can commit a hazing offense not only by engaging in a hazing activity, but also by soliciting, directing, encouraging, aiding or attempting to aid another in hazing; by intentionally, knowingly or recklessly allowing hazing to occur; or by failing to report, in writing to the Dean of Students or another appropriate official of the institution, first-hand knowledge that a hazing incident is planned or has occurred. The fact that a person consented to or acquiesced in a hazing activity is not a defense to prosecution for hazing under this law.

In an effort to encourage reporting of hazing incidents, the law grants immunity from civil or criminal liability to any person who reports a specific hazing event in good faith and without malice to the Dean of Students or other appropriate official of the institution and immunizes that person for participation in any judicial proceeding resulting from liability that might otherwise be incurred or imposed as a result of the report. The penalty for failure to report is a fine of up to \$1,000, up to 180 days in jail, or both. Penalties for other hazing offenses vary according to the severity of the injury which results and include fines from \$500 to \$10,000 and/or confinement for up to two years.

The law defines hazing as: **any intentional, knowing or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in or maintaining membership in any organization whose members are or include students at an educational institution.**

Hazing includes but is not limited to:

1. any type of physical brutality, such as whipping, beating, striking, branding, electric shocking, placing of a harmful substance on the body or similar activity;
2. any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
3. any activity involving consumption of food, liquid, alcoholic beverage, liquor, drug or other substance which subjects the student to an unreasonable risk of harm or which adversely affects the mental or physical health of the student;
4. any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame or humiliation, or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may

reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described in this subsection;

5. any activity that induces, causes or requires the student to perform a duty or task which involves a violation of the Penal Code.

College Disciplinary Rules

This law does not affect or in any way limit the right of the college to enforce its own rules against hazing outlined in the Student Code of Conduct.

Dangerous or Degrading Activities

Activities which under certain conditions constitute acts which are dangerous, harmful or degrading, in violation of University rules include, but are not limited to:

- Calisthenics, such as sit-ups, push-ups or any other form of physical exercise;
- Total or partial nudity at any time;
- The eating or ingestion of any unwanted substance;
- The wearing or carrying of any embarrassing, degrading or physically burdensome article;
- Paddle swats, including the trading of swats;
- Pushing, shoving, tackling or any other physical contact;
- Throwing any substance on a person;
- Consumption of alcoholic beverages accompanied by either threats or peer pressure;
- Lineups for the purpose of interrogating, demeaning or intimidating;
- Transportation and abandonment (road trips, kidnaps, walks, rides, drops);
- Confining individuals in an area that is uncomfortable or dangerous (hot box effect, high temperature, too small);
- Any form of individual interrogation;
- Any type of servitude that is of personal benefit to the individual members;
- Wearing of embarrassing or uncomfortable clothing;
- Assigning pranks such as stealing, painting objects, harassing other organizations;
- Intentionally messing up the house or a room for clean up;
- Demeaning names;
- Yelling or screaming; and
- Requiring boxing matches or fights for entertainment.

Organizations Found Responsible for Accusations of Hazing

In accordance with requirements of the *Texas Education Code*, Section 51.936(c), the following organizations have been disciplined for hazing and/or convicted for hazing, on or off campus, during the preceding three years:

