HAZING POLICY

Hazing in state educational institutions is prohibited by both state law (Sections 51.936 and 37.151, Texas Education Code), and by the Rules and Regulations of the Board of Regents of The University of Texas System (Series 50101, Section 2.8). Individuals or organizations engaging in hazing could be subject to fines and charged with criminal offenses. Additionally, the law does not affect or in any way restrict the right of the university to enforce its own rules against hazing.

According to the law, a person commits a hazing offense if the person engages in hazing; solicits, directs, encourages, aids, or attempts to aid another in hazing; intentionally, knowingly, or recklessly allows hazing to occur; or fails to report firsthand knowledge that a hazing incident is planned or has occurred in writing to the chief student affairs officer. The fact that a person consented to or acquiesced in a hazing activity is not a defense to prosecution for hazing under this law.

An organization commits an offense if the organization condones or encourages hazing or if an officer or any combination of members, pledges, or alumni of the organization commits or assists in the commission of hazing.

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 an 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, electronic shocking, placing of 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 place, 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 that subjects the student to an unreasonable risk of harm or which adversely affects the mental or physical health or safety 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; and
5. any activity that induces, causes, or requires the student to perform a duty or task which involves a violation of the Penal Code. The fact that a person consented to or acquiesced in a hazing activity is not a defense to prosecution.

Any student who engages in conduct that constitutes hazing is subject to disciplinary action regardless of whether he or she is charged with a criminal offense.

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 chief student affairs officer and immunizes that person from participation in any judicial proceeding resulting from that 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 that results and range from $500 to $10,000 in fines and up to two years confinement.

The law does not affect or in any way limit the right of the university to enforce its own rules against hazing.