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; 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.

Series 50101, Section 2.8, of the Rules and Regulations of the Board of Regents of The University of Texas System, provides that:

1. Hazing with or without the consent of a student is prohibited by the system, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline;
2. Initiations or activities by organizations may include no feature which is dangerous, harmful or degrading to the student and a violation of this prohibition renders both the organization and participating individuals subject to discipline.

Activities which under certain conditions constitute acts that are dangerous, harmful or degrading, in violation of the Rules and Regulations of the Board of Regents of The University of Texas System 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 obscene or physically burdensome article;
- Paddle swats, including the trading of swats;
- Pushing, shoving, tackling, or any other physical contact;
- Throwing oil, syrup, flour, or any harmful substance on a person;
- Rat court, kangaroo court or other individual interrogation;
- Forced consumption of alcoholic beverages either by threats or peer pressure;
- Lineups intended to demean or intimidate;
- Transportation and abandonment (road trips, kidnappings, walks, rides, drops);
- Confining individuals in an area that is uncomfortable or dangerous (hot box effect, high temperature, too small);
- Any type of personal servitude that is demeaning or of personal benefit to the individual members;
- Wearing of embarrassing or uncomfortable clothing;
- Assigning pranks such as stealing, painting objects or harassing other organizations;
- Intentionally messing up the house or room for clean up;
- Demeaning names;
- Yelling and screaming; and
- Requiring boxing matches or fights for entertainment.

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.