

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Hazing

Policy Number: 10.3

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 7/25/2014

Unit(s) Responsible for Policy Implementation: Vice President for University Affairs

Purpose of Policy (what does it do):

Reason for the addition, revision, or deletion (check all that apply):

- ☒ Scheduled Review ☐ Change in law ☐ Response to audit finding
☐ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: Updated referenced policy title.

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Dr. Adam Peck, Dean of Student Affairs
Dr. Steve Westbrook, Vice President for University Affairs
Damon Derrick, General Counsel

Hazing

Original Implementation: September, 1987

Last Revision: ~~July 29, 2014~~ July 25, 2017

Stephen F. Austin State University is unequivocally opposed to any activity by an organization or individual(s) within the organization that is herein defined as hazing.

Definitions

Hazing: Any intentional, knowing or reckless act occurring on or off campus by one person alone or acting with others, that endangers the mental or physical health or safety of a currently-enrolled or prospective student for the purpose of new member intake, being initiated into, affiliating with, holding office in, or maintaining membership in that organization.

Hazing acts include but are not limited to:

1. any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, placing 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 a food, liquid, alcoholic beverage, liquor, drug or other substance that subjects the student to an unreasonable risk of harm or that 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, humiliation, that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered at the institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to the acts described in this policy;
5. any activity that induces, causes, or requires the student to perform a duty or task which involves a violation of the Penal Code.

Committing an Offense: The organization and any individual involved in hazing commits an offense by:

1. engaging in hazing;
2. soliciting, encouraging, aiding or directing another engaging in hazing;
3. intentionally, recklessly or knowingly permitting hazing to occur;

4. having first-hand knowledge that a specific hazing incident is being planned or has occurred and failing to report said knowledge in writing to the judicial officer.

Organization Hazing Offense: 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.

Consent: It is not a defense to prosecution of an offense that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

Penalties - University

Individual: Each individual committing an offense is subject to university penalties ranging from probation to expulsion.

Organization: Student organizations committing an offense may be placed on university probation and are subject to withdrawal of university recognition.

Penalties - Criminal

Individual: Penalties relative to criminal prosecution range from a fine of \$2,000 and/or 180 days in jail for failure to report a hazing incident to a fine of \$10,000 and two years in jail for an incident which causes the death of a student.

Organization: The student organization may be penalized with a fine of up to \$10,000 or double the expenses involved due to the injury, damages or loss.

Notice of Policy

To General Campus Community: This policy shall be published in the General Bulletin and on the SFA website, so as to cause all students to be aware of the provisions of this policy.

Of Offenders: A list of organizations that have been disciplined for hazing or convicted for hazing on or off campus during the previous three years shall be included each time this policy is published. The three-year publication will begin as soon as an organization's name can be placed in the first available printing of one of the above named publications. A date in parenthesis following an organization's name will indicate the last year the organization will be included.

Cross Reference: Student ~~Conduct~~ Code of Conduct (10.4); Tex. Educ. Code §§ 37.151-.157, 51.936

Responsible for Implementation: Vice President for University Affairs

Contact for Revision: Dean of Student Affairs

Forms: None

Board Committee Assignment: Academic and Student Affairs