

## Hazing

**Original Implementation:** August 25, 1987

**Last Revision:** July 21, 2020

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:

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 activity which involves sleep deprivation, exposure to the elements, confinement in a small space, calisthenics or other similar 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 which involves 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 induces, causes, or requires the student to perform a duty or task which involves a violation of the Penal Code; or
5. involves coercing the student to consume drugs or alcoholic beverage or liquor in any amount that would lead a reasonable person to believe the student is intoxicated.

**Organization:** Any fraternity, sorority, association, corporation, order, society, corps, club, or student government, a band or musical group, or an academic, athletic, cheerleading, or dance team, including any group or team that participates in National Collegiate Athletic Association competition, or a service, social, or similar group, whose members are primarily students.

**Immunity:** Any person who voluntarily reports a specific hazing incident involving a student or prospective student to the dean of student affairs or appropriate university official may be immune from civil or criminal liability if the person:

1. Reports the incident before being contacted by the institution or before an investigation of the incident is underway.

2. Cooperates in good faith throughout the investigation, as determined by the dean of student affairs.

A person will not be granted immunity if reporting their own act of hazing, or reports in bad faith or with malice.

**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 university's student conduct authority.

**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:**

#### **Student Code of Conduct Violation**

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

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

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

#### **Reporting of Sanctioned Organizations**

A report will be posted on the university's website that includes information regarding each disciplinary action taken against an organization under this policy or related external convictions for hazing against the organization during the three years preceding the date on which the report is issued or updated.

This report will include:

- the name of the organization disciplined or convicted;
- the date on which the incident occurred;
- the date on which the university's investigation into the incident, if any, was initiated;
- a general description of the incident,
- the violations of the university's code of conduct or the criminal charges, as applicable;
- the findings of the institution or court; and
- any sanctions imposed by the institution, or any fines imposed by the court, on the organization; and
- the date on which the university's disciplinary process was resolved or on which the conviction became final.

This report will be updated to include information regarding each disciplinary process or conviction not later than the 30th day after the date on which the disciplinary process was resolved or the conviction became final, as applicable.

### **Notice of Policy to Students**

A summary of the provisions of this policy will be published in the General Bulletin section of the university's website. Electronic links to this policy, and to the report outlined above, will be posted on the Student Affairs website and included in an e-mail to all enrolled students that will be distributed at least 14 days before the start of each fall and spring semester.

**Cross Reference:** Student 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