OFFICE OF THE DEAN OF STUDENTS

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September 16, 2014

TO: All Students at The University of Texas at Austin
FROM: Dr. Soncia Reagins-Lilly, *Senior Associate Vice President for Student Affairs and Dean of Students*
SUBJECT: **Texas Hazing Statute Summary and The University of Texas at Austin Hazing Regulations**

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 from participation in any judicial proceeding resulting from liability that might otherwise be incurred or imposed as a result of the report. Additionally, a doctor or other medical practitioner who treats a student who may have been subjected to hazing may make a good faith report of the suspected hazing activities to police or other law enforcement officials and is immune from civil or other liability that might otherwise be imposed or incurred 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.

HAZING DEFINED

The law and the University define 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:

A. any type of physical brutality, such as whipping, beating, striking, branding, electric shocking, placing of a harmful substance in or on the body or similar activity;
B. 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;
C. 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 or safety of the student;
D. 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;
E. any activity that induces, causes or requires the student to perform a duty or task which involves a violation of the Penal Code.

UNIVERSITY DISCIPLINARY RULES

This law does not affect or in any way limit the right of the university to enforce its own rules against hazing under Chapter 14 of the *Institutional Rules on Student Services and Activities*.

DANGEROUS OR DEGRADING ACTIVITIES

Activities which under certain conditions constitute acts which are dangerous, harmful or degrading, in violation of Chapter 14 and subsections 6-303(b)(3) and 11-404(a)(7) of the *Institutional Rules on Student Services and Activities* 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, etc.);*
- *confining individuals in an area that is uncomfortable or dangerous (hot box effect, high temperature, too small, etc.);*
- *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.*

DISCIPLINED ORGANIZATIONS, INCLUDING THOSE RESOLVED VIA MUTUAL AGREEMENTS

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:

- **Alpha Epsilon Pi** *Penalty issued August 17, 2011 (Probation completed August 17, 2014).*
- **alpha Kappa Delta Phi*** *Conditional registration is three (3) years (Completed June 10, 2013).*
- **Alpha Kappa Psi-Business*** *Conditional registration is one (1) year (extended through February 21, 2015).*
- **Alpha Rho Chi-Architecture*** *Conditional registration is three (3) years (May 29, 2015).*
- **Alpha Tau Omega*** *Conditional registration is two (2) years (Completed August 15, 2014).*
- **Delta Sigma Phi*** *Conditional registration is two (2) years (September 3, 2015).*
- **Delta Sigma Theta Sorority, Inc.** *Penalty issued November 10, 2009 (Suspended through December 31, 2009; Probation completed October 30, 2012).*
- **Delta Tau Delta*** *Conditional registration is two (2) years (Completed September 9, 2012).*
- **Kappa Phi Gamma Sorority, Inc.*** *Conditional registration is two (2) years (Completed April 30, 2014).*
- **Lambda Phi Epsilon** *Penalty issued December 20, 2005 (Cancelled through December 19, 2011; Suspended through May 31, 2014; Probation through May 31, 2015).*
- **Omega Phi Gamma*** *Conditional registration is three (3) years (Completed July 12, 2014).*
- **Phi Chi Theta-Business*** *Conditional registration is two (2) years (Completed July 7, 2014).*
- **Phi Delta Theta*** *Conditional registration is two (2) years (September 11, 2016).*♦
- **Phi Kappa Psi*** *Conditional registration is two (2) years (December 12, 2015).*
- **Pi Kappa Alpha*** *Conditional registration is two (2) years (May 4, 2016).*
- **Pi Kappa Phi*** *Conditional registration is two (2) years (Completed February 27, 2014).*
- **Sigma Alpha Epsilon*** *Conditional registration is five (5) years (Completed April 7, 2013).*
- **Sigma Alpha Mu*** *Conditional registration is two (2) years (Completed April 20, 2014).*
- **Sigma Phi Epsilon*** *Conditional registration is two (2) years (Completed September 1, 2012).*
- **Silver Spurs*** *Conditional registration is two (2) years (Completed July 13, 2013).*
- **Texas Iron Spikes*** *Conditional registration is three (3) years (Completed March 7, 2014).*
- **Kappa Alpha Order** (*formerly known as* **Texas Omicron**)* *Conditional registration is three (3) years (April 11, 2015).*
- **Zeta Beta Tau*** *Conditional registration is two (2) years (September 4, 2016).*♦

** Resolved via Mutual Agreement* ♦ *More than one hazing violation in the past three (3) years*

To report an act of hazing to the Office of the Dean of Students, visit *deanofstudents.utexas.edu/complaint.php*. For further information or clarification of probationary member activities, please contact Student Activities in the Office of the Dean of Students, Student Services Building (SSB) 4.400, 512-471-3065.