

HAZING LAW (EDUCATION CODE)

Hazing Policy Summary – Texas Education Code Chapter 37, Subchapter F and Federal Law Compliance

In accordance with Texas Education Code § 51.936, institutions of higher education must publish a summary of Texas Education Code Chapter 37, Subchapter F (§§ 37.151-157), which prohibits hazing. Additionally, recent federal legislation further reinforces the requirement for institutions to address and prevent hazing through transparency, reporting mechanisms, and enforcement.

Hazing is a criminal offense under both Texas law and federal law. A person may be found guilty of a crime if they: Engage in hazing; Encourage, direct, aid, or assist hazing; Permit hazing to occur; or Have knowledge of hazing activities and fail to report them in writing to the Director of Student Community Standards or designee. Under Texas law, penalties for hazing include: Class B misdemeanor for failure to report hazing or for hazing that does not result in serious bodily injury; Class A misdemeanor for hazing that results in serious bodily injury; State jail felony for hazing that results in a death.

Organizations found guilty of hazing may be fined \$5,000 to \$10,000, or if the hazing incident causes personal injury or property damage, fines may range from \$5,000 to double the amount of damages or losses incurred. Consent is not a defense to a hazing charge.

Federal law expands institutional responsibility by requiring colleges and universities to: Publish hazing incidents in a publicly available report; Ensure transparency in hazing-related disciplinary actions and criminal proceedings; Establish clear reporting procedures for students and staff; Implement prevention and education programs to mitigate hazing risks.

A person who reports a specific hazing incident to the Director of Student Community Standards or another appropriate institutional official is immune from civil and criminal liability unless they personally participated in the hazing or knowingly filed a false report in bad faith or with malicious intent.

These laws do not limit or affect the university's ability to impose additional disciplinary penalties for hazing beyond those prescribed by the state and federal government.

The Texas Education Code defines hazing as: *"Any intentional, knowing, or reckless act occurring on or off campus, by one person or acting with others, directed against a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization."*

The law outlines specific conduct that constitutes hazing, including but not limited to: Physical brutality, such as whipping, beating, striking, or exposure to harmful elements; Forced consumption of food, alcohol, drugs, or other harmful substances; Activities that subject an individual to extreme mental stress, embarrassment, or harassment.

The Federal Hazing Law defines hazing as: *"any intentional, knowing, or reckless act committed by a person (whether individually or in concert*

with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that –

- *is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and*
- *causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury"*

To report hazing incidents, contact:

Student Community Standards
Student Services Building, 3rd Floor
471 Houston Street
College Station, TX 77843-1172
(979) 847-7272
<https://studentconduct.tamu.edu/>

Student Affairs - Galveston
Suite 101, Seibel Student Services Center
Galveston, TX 77554
(409) 740-4829
https://cm.maxient.com/reportingform.php?TexasAMUniv&layout_id=1
(https://cm.maxient.com/reportingform.php?TexasAMUniv&layout_id=1)

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