

STUDENT CONDUCT
PROHIBITED ORGANIZATIONS AND HAZING

FLBC
(LEGAL)

HAZING OFFENSE

A person commits an offense if the person:

PERSONAL

1. Engages in hazing.
2. Solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing.
3. Has first-hand knowledge of the planning of a specific hazing incident involving a student in an educational institution, including a college district, or first-hand knowledge that a specific hazing incident has occurred, and knowingly fails to report that knowledge in writing to the dean of students or other appropriate official of the institution.

Education Code 37.152(a), 51.936(a)

ORGANIZATION

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. *Education Code 37.153(a)*

DEFINITIONS

“HAZING”

“Hazing” means 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 the 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 other students. The term includes:

1. Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of 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 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, 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

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to leave the organization or the institution rather than submit to acts described above.

5. Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code.

Education Code 37.151(6); 51.936(a)

"ORGANIZATION" "Organization" means a fraternity, sorority, association, corporation, order, society, corps, club, or service, social, or similar group, whose members are primarily students. *Education Code 37.151(5); 51.936(a)*

"STUDENT" "Student" means any person who:

1. Is registered in or in attendance at an educational institution;
2. Has been accepted for admission at the educational institution where the hazing incident occurs; or
3. Intends to attend an educational institution during any of its regular sessions after a period of scheduled vacation.

Education Code 37.151(4); 51.936(a)

PUBLICATION Each public institution of higher education shall distribute to each student during the first three weeks of each semester a summary of Education Code Chapter 37, Subchapter F and a list of organizations that have been disciplined for hazing or convicted for hazing on or off campus during the previous three years. If the institution publishes a general catalogue, student handbook, or similar publication, it shall publish a summary of the provisions of Education Code Chapter 37, Subchapter F in each edition of the publication. *Education Code 51.936(c)–(d)*

INFORMATION REGARDING GANG-FREE ZONES The governing board of each institution of higher education, including each college district, shall ensure that any student handbook or similar publication for the institution includes information on gang-free zones and the consequences of engaging in organized criminal activity within those zones. *Education Code 51.973*