

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), 51.936(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 for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization if the act:

1. Is 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. 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. Involves consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, other than as described by item 5, 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. Is any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code.
5. Involves coercing, as defined by Penal Code 1.07, the student to consume a drug or an alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated, as defined by Penal Code 49.01.

Education Code 37.151(6); 51.936(a)

STUDENT CONDUCT
PROHIBITED ORGANIZATIONS AND HAZING

FLBC
(LEGAL)

Organization “Organization” means a 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. *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)

Dissemination of
Hazing Information

*On the College
District’s Website*

Each postsecondary educational institution shall develop and post in a prominent location on the institution’s internet website a report on hazing committed on or off campus by an organization registered with or recognized by the institution. The report:

1. Must include information regarding each disciplinary action taken by the institution against an organization for hazing, and each conviction of hazing under Education Code 37.153 by an organization, during the three years preceding the date on which the report is issued or updated, including:
 - a. The name of the organization disciplined or convicted;
 - b. The date on which the incident occurred or the citation was issued, if applicable;
 - c. The date on which the institution’s investigation into the incident, if any, was initiated;
 - d. A general description of the incident; the violations of the institution’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 institution’s disciplinary process was resolved or on which the conviction became final;
2. Must 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 is resolved or the conviction becomes final, as applicable; and

STUDENT CONDUCT
PROHIBITED ORGANIZATIONS AND HAZING

FLBC
(LEGAL)

3. May not include personally identifiable student information and must comply with the Family Educational Rights and Privacy Act (FERPA) of 1974, 20 U.S.C. 1232g.

Education Code 51.936(c-2)

To Each Student Not later than the 14th day before the first class day of each fall or spring semester, each public institution of higher education shall distribute to each student enrolled at the institution a summary of Education Code Chapter 37, Subchapter F and copy of, or an electronic link to a copy of, the report. *Education Code 51.936(c)*

At Student Orientation Each postsecondary educational institution shall provide to each student who attends the institution's student orientation a notice regarding the nature and availability of the report, including the report's internet website address. *Education Code 51.936(c-2)*

In College District Publications 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(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*