

Prairie View A&M University

Office of Student Activities & Leadership

Prairie View, Texas

READ CAREFULLY!

HAZING: THE LAW

On August 31, 1987, a new law went into effect in the State of Texas regarding HAZING. Below is an abbreviated summary, in question and answer form, of the contents of that law and the applicability and implications for students, faculty, and staff at Prairie View A&M University. **THIS IS ONLY A SUMMARY.** Certain points of the new law have been omitted for editorial purposes.

Under the provisions of the Texas Education Code, Sections 4.51-4.58, severe penalties, to include jail sentences, are applied to incidents of personal or organizational hazing. An "organization" means a fraternity, sorority, association, corporation, order, society, corps, cooperative, club or service, social, or similar group, whose members are primarily students at an educational institution. "Personal" means an individual.

"Hazing" is any intentional, knowing, or reckless act, occurring on or off the campus of Prairie View A&M University, an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health 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 Prairie View A&M University. The term includes but, is not limited to:

- A. Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placement of a harmful substance 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 or harm or that adversely affects the mental or physical health or safety of the student.
- C. Any activity involving consumption of a 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.

In addition, Prairie View A&M University has also defined hazing to include:

- 1. Misuse of authority by virtue of one's class rank or leadership position;
- 2. Any form of physical bondage of a student;
- 3. Road Trips or taking a student to an outlying area and dropping him/her off; and
- 4. Any form of "Quadding". (Quadding includes but is not limited to throwing a person into water or any liquid substance or holding a student down and pouring water on him/her.

How do I commit a hazing offense?

- A. A person commits an offense if the person:
1. Engages in hazing;
 2. Solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;
 3. Intentionally, knowingly, or recklessly permits hazing to occur; or
 4. Has first hand know ledged of the planning of a specific hazing incident involving a student in an educational institution, or firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report said knowledge in writing to the Director of Student Activities & Leadership or other appropriate official of the institution.
- B. 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.

Does it matter if I did not intend to harm anyone?

No. Prairie View A&M's policies state that if one of the above occurs, it is HAZING, regardless of your intent.

Does it matter if the person being hazed agrees to the activity?

No. The law and Prairie View A&M's policies state that if one of the above occurs, it is HAZING, regardless of the consent or cooperation of the recipient.

What is the penalty if I am found guilty of hazing?

The student may be subjected to University disciplinary actions to and including removal form the university, in addition to or regardless of any penalty imposed by the state.

Are there state penalties for hazing?

Yes, they are listed below:

HAZING VIOLATION		PENALTIES
A.	Failing to report hazing	Fine up to \$1,000 and/or 180 days in jail
B.	Hazing resulting in no serious bodily injury	Fine from \$500 - \$1,000
C.	Hazing resulting in serious bodily injury	Fine of \$1,000 - \$5,000 and /or 180 days in jail
D.	Hazing resulting in death	Fine of \$5,000 - \$10,000 and/or 1-2 years in jail
E.	Except where the hazing results in death, the student may be required to perform community service hours in lieu of jail confinement.	

Can I get into trouble for reporting hazing?

No. Any person who reports a specific hazing incident involving a student to the Department of Student Activities & Leadership or other appropriate University Officials is protected from civil or criminal liability. A person who reports in bad faith or malice, however, is not protected by this section.

Where do I report hazing?

Hazing incidents can be reported to the Office of Student Activities & Leadership (Director, Assistant Director, or Coordinator for Student Organizations) (936) 261-1340, Student Conduct Officer (936) 261-3554, and/or University Police Department (936) 261-1375 if committed by members of any recognized student organization. In addition, you can email: dmsimmons@pvamu.edu.

For more information, contact the Department of Student Activities & Leadership, (936) 261-1340.