

## SCHREINER UNIVERSITY HAZING POLICY

### **Purpose**

The purpose of this policy is to clearly communicate Schreiner's responsibilities to ensure that all members of the institution understand that hazing in any form will not be tolerated. Schreiner is dedicated to preventing hazing, reporting hazing, educating students, faculty, and staff about hazing, and enforcing accountability.

### **Scope**

This University policy applies to all administrators, faculty, staff, students, and third parties participating in official programs and activities.

### **Policy**

By order of the State of Texas and as stated in the Texas Education Code, institutions of higher education must publish at least a summary of the provisions against hazing, and a list of organizations sanctioned for hazing within the three preceding years. Individuals and organizations can be held accountable by the law. Individuals include active members, new members, affiliates, alumni, and advisors. Organizations are defined as fraternity, sorority, association, corporation, order, society, corps, club, or service, social, or similar group, whose members are primarily students. In this light, all student organizations fall under this definition.

Hazing is any intentional, knowing, or reckless act, occurring on or off campus, 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 an organization whose members are, or include, students at Schreiner University.

Examples of hazing include, but are not limited to:

- Physical brutality: whipping, beating, striking, branding, electronic shocking, placing a harmful substance on the body, or similar activity;
- Physical activity: 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;
- Consumption of food, liquid, alcoholic beverage, drug, or other substances that may negatively affect mental or physical health;
- Activity that intimidates or threatens a student with ostracism;

- Activity that subjects the student to extreme mental stress, shame or humiliation;
- Activity that negatively affects the mental health or dignity of the student;
- Activity that induces, causes, or requires the student to perform a duty or task that violates the law.

A person commits a hazing offense if she/he:

- Engages in hazing;
- Solicits, encourages, directs, aids or attempts to aid another engaging in hazing;
- Intentionally, knowingly, or recklessly permits hazing to occur;
- Has firsthand knowledge of the planning of a specific hazing incident or has firsthand

knowledge that a specific hazing incident has occurred, and knowingly fails to report that knowledge to the appropriate Schreiner University official.

Schreiner University, inclusive of **the Texas Education Code, Clery Act, and SCHA**, **defines** hazing as any intentional, knowing, or reckless act, committed by a person (whether individually or in concert with others) against another person or persons, regardless of the willingness of such other person or persons to participate.

Acceptance of or consent to an activity on the part of a new member or individual does not justify an individual, organization, or group's engagement in the activity.

Examples of situations and actions that may constitute hazing prohibited by Schreiner University include, but are not limited to:

- Is committed in the course of initiation into, affiliation with, or 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 on an athletic team), of physical or psychological injury, including:
  - Whipping, beating, striking, electronic shocking, placing harmful substances on someone's body, or similar activities;
  - Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in small spaces, extreme calisthenics, or other similar activities;

- Causing, coercing, or otherwise inducing consumption of food, liquid, alcohol, drugs, or other substances;
- Causing, coercing, or otherwise inducing another person to perform sexual acts;
- Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- Any activity against another person that includes a criminal violation of local, state, tribal, or federal law; and
- Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, state, tribal, or federal law.

A “student organization” is defined as “an organization at an institution (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.”

An Activity is defined as any event, program, or function that is organized, sponsored, sanctioned, funded, or otherwise supported by Schreiner University, whether it occurs on or off campus, in-person or virtually.

**Texas law.** Section 37.151 of the Texas Education Code defines 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 for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization if the act:

- 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;
- 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;
- involves 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;

- is any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Texas Penal Code; or

Under Texas law, both individuals and organizations may commit hazing. It is not a defense that the person against whom the hazing was directed consented or acquiesced in the hazing activity. A person also violates the law if the person engages in, solicits, encourages, directs, aids, or attempts to aid another in hazing activity; if the person recklessly permits hazing to occur; or the person has firsthand knowledge of the planning of hazing or the past occurrence of a hazing incident and fails to report that knowledge in writing to an appropriate university official. It is a Class B misdemeanor to:

- a. fail to make a report, or
- b. to otherwise commit a hazing offense that causes minor bodily injury.

The severity of a hazing offense that causes serious bodily injury is raised to a Class A misdemeanor. The seriousness of a hazing violation that causes the death of another is elevated to a state jail felony.

## **Reporting**

Students, faculty, and staff are expected to promptly report any known or suspected incidents of hazing involving students or student organizations, regardless of whether the incident occurred on or off campus.

- Reports can be submitted anonymously using the link at the bottom of the Schreiner University webpage, [www.schreiner.edu](http://www.schreiner.edu)
- Reports can be submitted to Campus Security, the Office of the Vice President for Student Affairs and Dean of Students, or the Assistant Dean of Students.
- Any member of the Schreiner Community can submit a formal complaint if they believe a student has violated a University policy through the university's student conduct violation submission form found on the Schreiner University Student Conduct webpage <https://schreiner.edu/campus-life/student-conduct>.

All reports are reviewed and investigated in accordance with University procedures.

## **Investigations**

Hazing investigations involving students, student organizations, departments, and/or staff or faculty may be conducted as a combined investigation by the Vice President for Student Affairs and Dean of Students, their designee, and Human Resources. Alleged violations of this policy will result in an investigation and may be subject to university disciplinary action

and or may be subject to criminal prosecution based on Texas law. Retaliation against any person who reports, is a witness to, or is involved with or cooperates with the adjudication of hazing is strictly prohibited. The Student Affairs Office will investigate a student hazing report in accordance with the Student Code of Conduct and other policies of the university depending on the nature of the behavior.

Sanctions, if appropriate, will be imposed in accordance with the appropriate conduct policy violation. Violations of this policy by employees and university departments are subject to discipline in accordance with the University policies and procedures governing employee misconduct.

### **Appeal**

Any student found to be responsible for a violation of student code of conduct and/or policy has the right to appeal, in writing, within five (5) university business days of the written notification as indicated in the Student Code of Conduct Policy.

**Administrative Oversight:** Vice President for Student Affairs and Dean of Students

**Responsible for Implementation:** Vice President for Student Affairs and Dean of Students