



Hazing Policy

Document Number: DEAN-0017

Date Published(sys): 7/8/2021

General Description

Policy Summary:

This policy defines hazing and prohibits it.

Purpose:

This policy addresses the emotional, psychological, and physical health and well-being of Trinity students and fulfills state laws related to hazing.

Scope:

This applies to all current students.

Exceptions:

None.

Policy Content

① INTRODUCTION

- A. Trinity University is concerned about the emotional, psychological, and physical health and well-being of its students. Any form of hazing is unacceptable and is in direct conflict with institutional values related to the rights and dignity of students, all of whom have the right to belong to groups without risk of danger or humiliation. Consent to hazing is never a defense to a violation of this policy.

- B. New or prospective members of groups and teams can expect to participate in educational and fun activities that build teamwork and camaraderie among all members of the group. Such activities are intended to create a sense of identity and commitment within a group and are generally acceptable and encouraged. Students should check with Student Involvement staff, advisers, and coaches if there is any question about an activity constituting hazing. Groups are subject to the policies and procedures of the recognizing or

host department. Hazing investigations involving groups and individual students may be conducted as a combined investigation by the Dean of Students, the recognizing or host department, and/or other trained investigators.

② TWO PRIMARY CONDITIONS CREATE A HAZING CULTURE

New members often wish to be accepted, either formally or informally, into any group and will submit to hazing in order to be included. Because of this, consent to be hazed does not excuse hazing. Students have died or been seriously injured as a result of participating in activities to which they have “consented.” The psychological pull to be accepted is so strong that hazing victims cannot be expected to resist hazing, even if the hazing is presented as optional. That this pull can be so coercive should make this need to prohibit this conduct, to any degree, undeniably clear.

1. Any activity that places new members in subservient positions to experienced members creates an unhealthy and unsafe power dynamic in which control has been yielded to the experienced member.
2. New members in any organization may expect to be trained, oriented, or indoctrinated. Activities unrelated to the original conditions for membership or mission of the group is inappropriate and unfair to the new members. Any activities of membership should be equally shared among experienced and new members.

③ DEFINITION AND PROHIBITED CONDUCT

- A. The University prohibits hazing by individuals or groups and defines it as follows:
Hazing is any reckless or intentional act, occurring on or off campus, that produces physical, mental, or emotional pain, discomfort, humiliation, embarrassment, or ridicule directed toward other students or groups (regardless of their willingness to participate), that is required or expected of incoming, new, and active members and which is not related to the mission of the team, group, or organization. This includes any activity, whether it is presented as optional or required. Participation in hazing activities by established members does not negate conduct considered to be hazing. Prohibited acts of hazing include those covered under Texas state law.
- B. Though it would be impossible to list all behavior that could be deemed to be hazing, the following are some examples recognized as hazing by Trinity University and are prohibited:

1. any physical act of violence expected of, or inflicted upon, another;
2. any physical activity expected of, or inflicted upon, another, including calisthenics;
3. pressure or coercion of another to consume any legal or illegal substance;
4. making available unlawful substances;
5. excessive fatigue or sleep deprivation as a result of any activities;
6. forced exposure to the weather;
7. kidnapping, forced road trips, and abandonment;
8. required carrying of or possessing of a specific item or items;
9. servitude;
10. costuming and alteration of appearance;
11. line-ups and berating;
12. coerced lewd conduct;
13. degrading games, activities or public stunts;
14. interference with academic pursuits;
15. violation of University policy;
16. assignment of illegal and unlawful activities.

C. Alleged violations of this policy will result in campus judicial action and may be subject to criminal prosecution. Any retaliation against any person who reports, is a witness to, or is involved with or cooperates with the adjudication of hazing is strictly prohibited.

④ SUMMARY OF TEXAS STATE LAW REGARDING HAZING

Students and organizations groups should be acquainted with the law on hazing. The following excerpts are from the law that makes hazing at or in connection with an educational institution a crime.

Texas State Law on Hazing

1. "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.
2. 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 is:

- a. any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;
 - b. 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 or harm or that adversely affects the mental or physical health or safety of the student;
 - c. involves consumption of a food, liquid, alcoholic beverage, liquor, drug, other than as described by paragraphs (e) or other substance which subjects the student to an unreasonable risk of harm or which adversely effects the mental or physical health or safety of the student;
 - d. any activity that induces, causes, or requires the student to perform a duty or task which involves a violation of the Penal Code. Sec. 4.52 Or
 - e. involves coercing, as defined by Section 1.07, Penal Code, the student to consume:
 - (i) a drug; or
 - (ii) an alcoholic beverage or liquor in an amount would lead the reasonable person to believe that the student is intoxicated, as defined by Section 49.01, Penal Code.
3. A person commits an offense if the person
- a. engages in hazing;
 - b. solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;
 - c. intentionally, knowingly, or recklessly permits hazing to occur; or
 - d. has firsthand knowledge 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 dean of students or other appropriate officials of the institution.
4. 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.
5. Consent Not a Defense. It is not a defense to prosecution for the offense under this subchapter that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.
6. Immunity from Prosecution or Civil Liability Available.

- a. In the prosecution of an offense for hazing under Texas law, the court may grant immunity from prosecution for the offense to each person who is subpoenaed to testify for the prosecution and does testify for the prosecution.
 - b. Any person who voluntarily reports a specific hazing incident involving a student in an educational institution to the dean of students or other appropriate official of the institution is immune from liability, civil, or criminal, that might otherwise be incurred or imposed as a result of the reported hazing incident if the person:
 1. reports the incident before being contacted by the institution concerning the incident or otherwise being included in the institution's investigation of the incident; and
 2. as determined by the dean of students or other appropriate official of the institution designated by the institution, cooperates in good faith throughout any institutional process regarding the incident.
 - c. Immunity extends to participation in any judicial proceeding resulting from the report.
 - d. A person is not immune if the person:
 1. Reports the person's own act of hazing; or
 2. Reports an incident of hazing in bad faith or with malice.
7. State of Texas Reporting Requirements. No later than 14 days before the first day of class each semester, the institution shall distribute information about hazing policy and responsible findings of hazing incidents for the previous three years, including a general description of the incident and offending organization.

Revision Management

Revision History Log:

Revision #:	Date:	Recorded By:
v1.0	7/16/2019 10:22 AM	Christina Castillo

Vice President Approval:

Enter Vice President(s) that are responsible for approving this document

Name:	Title:
Sheryl Tynes	Vice President for Student Life