



What UTSA Students Need to Know about Hazing

From the UTSA Information Bulletin: Hazing Defined

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, 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 a organization.”

Hazing includes but is not limited to:

- Any type of physical brutality, such as whipping, beating, striking, branding, electric shocking, placing of a harmful substance on the body, or similar activity
- 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
- Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk or harm or which adversely affects the mental or physical health of the student
- Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, 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 the section
- Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code.

Reporting hazing is the law:

According to law, a person can commit a hazing offense not only by engaging in a hazing activity but also by soliciting, directing, encouraging, aiding, or attempting to aid another in hazing; by intentionally, knowingly, or recklessly allowing hazing to occur; or by failing to report in writing to the Office of Student Life firsthand knowledge that a hazing incident is planned or has occurred. The fact that a person consented to or acquiesced in a hazing activity is not a defense to prosecution for hazing under the law. The penalty for failure to report hazing activities is a fine not to exceed \$2,000, up to 180 days in jail, or both.

**Questions or concerns about a group on campus?
Contact the UTSA Police Department at 210-458-4242
Student Activities at 210-458-4160
Counseling Center at 210-458-4140**

**Questions about the Student Code of Conduct?
Contact Student Judicial Affairs at 210-458-4720**



State Law

Under state law, individuals or organizations engaging in hazing could be subject to fines and charged with a criminal offense.

According to the statute, a person commits a hazing offense:

- By engaging in hazing
- By soliciting, directing, encouraging, aiding, or attempting to aid another in hazing
- By intentionally, knowingly, or recklessly allowing hazing to occur
- **By failing to report in writing to the Office for Student Life firsthand knowledge that a specific hazing incident is planned or has occurred.**

Can you agree or consent to hazing. Is it the new member's choice?

The fact that a person consented to or acquiesced in a hazing activity is not a defense under the hazing law.

State Penalties

The penalty for failure to report hazing activities is a fine not to exceed \$2,000, up to 180 days in jail, or both. Penalties for other hazing offenses vary according to the severity of the injury that results; they range from individual fines of \$4,000 and/or up to one year in jail to individual fines of up to \$10,000 and/or a state jail term of not less than 180 days or more than two years. Organizational penalties include fines of not less than \$5,000 or more than \$10,000. If the organizational hazing activity resulted in personal injury, property damage, or other loss, the penalty is a fine of not less than \$5,000 or more than double the amount lost or expenses incurred because of injury, damage, or loss.

Who is immune from criminal or civil proceedings?

In an effort to encourage reporting of hazing incidents, the law grants immunity from civil or criminal liability to any person who reports a specific hazing event to the Office of Student Life and immunizes that person from participation in any judicial proceeding resulting from that report.

The University's Stance

State law does not affect or in any way restrict the right of UTSA to enforce its own rules against hazing, and the University may take disciplinary action for conduct that constitutes hazing regardless of whether public authorities prosecute students under state law. The University of Texas System Rules and Regulations of the Board of Regents Rule: 50101, part two, section two, 2.8 provides that hazing with or without the consent of the student whether on or off campus is prohibited, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline. Initiations or activities by organizations may include no feature that is dangerous, harmful, or degrading to the student, and a violation of this prohibition renders both the organization and participation individuals subject to discipline.

UTSA Penalties

The disciplinary actions assessed in a particular case will be dependent upon the nature of the conduct involved, the circumstances and conditions which existed at the time the student engaged in such conduct and the results which followed as a natural consequence of such conduct. Penalties range from disciplinary warning, probation, suspension, expulsion or other educational sanctions that are necessary.