



OFFICE OF STUDENT ORIENTATION, LEADERSHIP AND ENGAGEMENT
DIVISION OF STUDENT SUCCESS

TO: All Students, Faculty and Staff
FROM: Nicholas Hudson, Ed.D.
Director, Student Orientation, Leadership and Engagement
RE: Annual Hazing
DATE: 09/06/2023

To whom it may concern:

The Texas Legislature enacted an anti-hazing law in 1987, which was updated in 2019. The state law provides penal sanctions in the event of a conviction of hazing. According to this law, individuals or organizations engaging in hazing could be subject to fines and charged with a criminal offense.

Hazing on the part of students, faculty or staff is strictly forbidden, whether on or off campus. Texas A&M International University students are expected to be partners in fulfilling the mission of the university by adhering to university values of respect, integrity, service and excellence. This is achieved through the creating and maintaining standards within student groups, teams and organizations that are conducive to personal growth and development. If student groups, teams and organizations are to play an integral part in the university's plan, they must set standards that encourage each individual to achieve his or her greatest potential. Hazing is the antithesis of this goal because it results in diminishing an individual's pride and self-esteem. The university will take disciplinary action against individuals and/or groups who are involved in hazing activities. Such disciplinary action may be taken independently of state or local prosecutorial actions.

As part of the Texas Education Code (Chapter 37, Section 51.936) requirement, the following information is provided to help educate the community on hazing definitions, prohibitions, offenses, and disciplinary actions. Additionally, this report contains a listing of all hazing cases in the past three years that took place off or on campus where the student organization was found responsible either in the conduct process or the court system.

Texas A&M International Student Handbook Section 3.17

Hazing is a crime under Texas Law. It is also prohibited under the Student Code of Conduct. It is a violation of the Code (and of state law) to engage in hazing, or to otherwise solicit, encourage, direct, aid or attempt to aid another in engaging in hazing. It is also a violation to recklessly permit hazing by another to occur. A student who receives firsthand knowledge of the planning of a specific hazing incident or has firsthand knowledge that a specific hazing incident has occurred, has an affirmative responsibility to report the incident in writing to dean of students or another appropriate official of TAMIU. Notification will be provided to the University community as required by law.

Both failing to report hazing and hazing that does not result in serious bodily injury are Class B misdemeanors. Hazing that results in serious bodily injury is a Class A misdemeanor. Hazing resulting in a death is a state jail felony. An organization found guilty of hazing may be fined \$5,000 to \$10,000 or, for incidents causing personal injury or property damage, an amount doubles the loss or expenses incurred because of the hazing incident.

It is not a defense to prosecution that the person hazed consented to the hazing activity.

A person reporting a specific hazing incident to the University is immune from civil and criminal liability unless the report is made in bad faith. This includes immunity to student conduct charges.

State law does not limit or affect an education institution's right to enforce its own penalties against hazing.

The Education Code (Texas Education Code, Chapter 37) defines hazing as "any intentional, knowing, or reckless act occurring on or off the campus of an educational institution by one person or acting with others, directed against a student for the purpose of pledging,





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being initiated into, affiliating with, holding office in, or maintaining membership in an organization.” The statute contains a list of conduct, which constitutes hazing.

Examples of hazing include, but are not limited to:

- a. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking should this be electric shocking, placing of a harmful substance on the body, or similar activities;
- 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 of harm or that adversely affects the mental or physical health or safety of the student;
- c. Involves consumption of food, liquid, alcoholic beverages, drugs, or other substance which subjects the individual to risk of harm, or which adversely affects the mental or physical health or safety of the person;
- d. Any activity that involves coercing the student to consume a drug; an alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated.
- e. Any activity that induces or requires the student to perform a duty or task, which involves a violation of the Penal Code.

Texas A&M International Student Code of Conduct, Section 6.06 (Prohibited Behavior)

Hazing. Any act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property; and/or assisting, directing, or in any way causing others to participate in degrading behavior and/or behavior that causes ridicule, humiliation, or embarrassment; and/or engaging in conduct which tends to bring the reputation of the organization, group, or University into disrepute for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization; or as part of any activity of a recognized student organization, student group, or special groups. Previously relied upon “traditions,” (including fraternity/sorority/CoEd, or any other group or organization activity, practice or tradition) intent of such acts, or coercion by current or former student leaders of such groups, or former students will not suffice as a justifiable reason for participation in such acts. It is not a defense that the person (or group) against whom the hazing was directed consented to, or acquiesced to, the behavior in question. Refer to Sect. 3.09 Hazing for examples. Hazing is also a violation of Texas State Law. (See the Sec. 2 Ch. 4, Education Code)

Personal Hazing Offense

A person commits a hazing offense if the person:

- Engages in hazing
- Solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing
- Intentionally, knowingly or recklessly permits hazing to occur
- Has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or has firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report said knowledge in writing to the Vice President of Student Engagement office, Office of Student Orientation, Leadership and Engagement or other appropriate entity or official of the institution

Organization Hazing Offense

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. Initiations or activities by organizations may not include any feature which is dangerous, harmful or degrading to the student. A violation of this prohibition renders both the organization and participating individuals subject to discipline





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Disciplinary Actions

The disciplinary actions assigned/determined in a particular case will vary dependent on the nature of the conduct involved, the circumstances and conditions that existed at the time and the results that followed such conduct.

Possible Actions include but are not limited to:

- Disciplinary warning
- Disciplinary probation
- Required participation in specific educational programs
- Restitution
- Suspension of rights and privileges
- Suspension
- Expulsion
- Withdrawal of organizational recognition

History of Disciplinary Actions at TAMIU

During the past three years, no TAMIU student organization has been found responsible for or convicted of a hazing related incident.

Reporting of Hazing Incidents

If you have firsthand knowledge of the planning or occurrence of a specific hazing incident, you must report it or you will have committed a hazing offense. Report any incident of hazing via the TAMIU Report It form available at www.tamtu.edu/reportit. Additional resources include:

- a. University Police Department, (956) 326-2100 or for emergencies contact (956) 326-2911
- b. Office of the Vice President for Student Engagement, Student Center 226, (956) 326-2953
- c. Student Conduct and Community Engagement, Student Center 226, (956) 326-2265
- d. Student Orientation, Leadership and Engagement (SOLE), Student Center 224, (956) 326-2280.

Sincerely,

NICHOLAS HUDSON, Ed.D.

Director, Student Orientation, Leadership and Involvement

