

UNIVERSITY OF HOUSTON HAZING STATEMENT

UH Philosophy Regarding Hazing

- The University of Houston believes that true human development can best occur in an atmosphere of social and ethical responsibility.
- The University views responsible pre-initiation activity as a positive educational approach to preparation for student organization membership.
- The University views hazing activities as not contributing to the positive development or welfare of the individual.
- Therefore, the University of Houston recognizes acts of hazing as irresponsible, intolerable and inconsistent with the principles of higher education and basic human development and may be illegal.

UH Hazing Policy

I. Hazing Defined

Hazing is defined as any action taken or situation created which, regardless of intent or consent of the participants:

- a. Produces or is reasonably likely to produce, bodily harm or danger, mental or physical discomfort, embarrassment, harassment, fright, humiliation or ridicule, or otherwise compromises the dignity of an individual;
- b. Compels an individual to participate in any activity which is unlawful and/or contrary to the rules, policies and regulations of the University;
- c. Will, unreasonably or unusually, impair an individual's academic efforts, and/or
- d. Occurs on or off campus.

All students are strictly prohibited from engaging in any hazing activity.

II. Examples of actions and activities which are explicitly prohibited include but are not limited to the following:

- a. Compelling individuals to consume alcohol or drugs.
- b. Paddling in any form, shoving or otherwise striking individuals.
- c. Compelling individuals to wear or carry unusual, uncomfortable, degrading or physically burdensome articles or apparel.
- d. Compelling individuals to engage in sexual behaviors, sexual or racial harassment or slurs or exhibitionism.
- e. Depriving individuals of the opportunity for sufficient sleep, decent edible meals or access to means of bodily cleanliness.
- f. Activities which impair an individual's academic efforts by causing exhaustion, loss of sleep or reasonable study time, or by preventing an individual from attending class.
- g. The creation of excessive fatigue by participation in physically demanding activities (calisthenics, runs, etc.).

- h. Compelling individuals to eat or drink unusual substances or compelling the consumption of undue amounts or odd preparations of food.
- i. Having substances thrown at, poured on or otherwise applied to the bodies of individuals.
- j. Morally degrading or humiliating games or any other activities which make an individual the object of amusement, ridicule or intimidation.
- k. Transporting individuals against their will, abandoning individuals at distant locations, or conducting any “kidnap,” “ditch” or “road trip” that may in any way endanger or compromise the health, safety or comfort of any individual.
- l. Causing an individual to be indecently exposed or exposed to the elements.
- m. Requiring an individual to remain in a fixed position for a long period of time.
- n. Compelling an individual to be branded or tattooed.
- o. “Line-ups” involving intense shouting of obscenities or insults.
- p. Compelling individuals to participate in activities (pranks, scavenger hunts, etc.) which encourage the defacement of property; engage in theft; harass other individuals, groups of individuals or organizations; or disrupt the normal activities of the University.
- q. Tests of courage, bravery, stamina or sexuality.
- r. Intentionally deceiving members, prior to initiation, to make them believe they will not be initiated.
- s. Intentionally deceiving new members (pledges, associates, initiates, etc.) to make them think they will be struck or hurt.
- t. Excluding an individual from social contact for prolonged periods of time.
- u. Compelling an individual to engage in acts of personal servitude.

III. Consent Is No Defense

Any of the activities described above upon which the initiation or admission into, or affiliation with, or continued membership in an organization is directly conditioned, shall be presumed to be “compelled activities;” the willingness of an individual to participate notwithstanding.

IV. Burden of Acceptability

The burden to ensure that student organization activities are acceptable under this policy rests with the student organization. This is a preliminary test for hazing: If you are not sure whether an activity is hazing, it probably is. Therefore, the activity should be dropped or discussed with the appropriate University official. Questions regarding the acceptability of a proposed student organization activity should be discussed with an activities advisor in the Center for Fraternity and Sorority Life or the Center for Student Involvement.

V. Applicability of Community Standards

The terms and concepts (e.g., humiliating, degrading, unusual, uncomfortable, embarrassing, demeaning, etc.) cited in this policy shall be interpreted by university officials in relation to acceptable and applicable community standards.

VI. Enforcement

- a. The President or Chair of each registered student organization is responsible for informing the members (pledges, associate members, initiated members, affiliates, etc.) of the organization of the UH policy regarding hazing. It is suggested that the President or Chair read and distribute a copy of this policy to each member of the organization during the first meeting of each semester.
- b. The President or Chair of each registered student organization is responsible for informing guests and alumni members of this policy and is additionally responsible for controlling the actions of guests and alumni members relative to this policy.
- c. It is the responsibility of any and all individuals who have firsthand knowledge of the planning or actual occurrence of a hazing activity to promptly report said knowledge to the Dean of Students Office.

Summary of the Texas Education Code Regarding Hazing

I. Definition of Hazing

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, 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 any organization whose members are or included students at an educational institution.

The term includes but is not limited to: any type of physical brutality, such as whipping, beating, striking, branding, electronic 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 or 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 which subjects the student to an unreasonable risk or harm or which adversely affects the mental or physical health or safety of the student; 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; any activity that induces, causes or requires the student to perform a duty or task which involves a violation of the Penal Code.

II. Personal Hazing Offense

A person commits an offense if he or she engages in hazing; solicits, encourages, directs, aids or attempts to aid another in engaging in hazing; recklessly permits hazing to occur; or 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 Office or other appropriate official/office of the institution.

Penalties

1. Failure to report hazing - fine up to \$2,000; jail up to 180 days; or both.
2. Hazing without serious bodily injury - fine up to \$2,000; jail up to 180 days; or both.
3. Hazing with serious bodily injury-fine up to \$4,000; jail up to one year; or both.
4. Hazing resulting in death—fine up to \$10,000; jail not less than 180 days nor more than two years; or both.

*In cases which do not result in death, community service may be imposed in lieu of a jail sentence.

III. Organization Hazing Offense

An organization commits a hazing 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.

Penalties

1. Hazing that does not result in personal injury, property damage or loss: fine of not less than \$5,000 nor more than \$10,000.
2. Hazing that results in personal injury, property damage or loss: fine of not less than \$5,000 nor more than double the amount lost or expenses incurred because of such injury, damage or loss.

IV. Consent Not A Defense

It is not a defense to prosecution of an offense that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

V. Immunity From Prosecution

The court may grant immunity from prosecution to each person who is subpoenaed and does testify for the prosecution. Any person reporting a specific hazing incident to the Dean of Students Office or other appropriate official/office and/or participates in any judicial proceeding as a result of the report is immune from liability, civil or criminal. Medical practitioners reporting treatment of students who have been subjected to hazing activities shall be immune from civil or other liability. Persons reporting in bad faith or with malice are not protected.

VI. Offenses In Addition To Other Penal Provisions

The educational institution may enforce its own penalties against hazing.

University of Houston Student Organization Hazing Policy Violations

Each institution of higher education in the State of Texas is required to publish or distribute a list of registered student organizations that have been disciplined or convicted for hazing violations on or off campus during the previous three years.

As of February 1, 2017, the following student organization(s) have been disciplined or convicted for hazing violations on or off campus during the previous three years.

Cougar Men's Association: Suspension; December 21, 2015 through December 31, 2016.

Pi Kappa Phi Fraternity: Probation; May 18, 2016 through May 18, 2017.