

## **Chapter 5: Hazing**

Board policies [FLBC \(LEGAL\)](#), [FLB \(LOCAL\)](#), [FKC \(LEGAL\)](#), and [FKC \(LOCAL\)](#) are associated with this chapter.

### **Prohibition of Hazing**

Hazing is a criminal violation under Texas state law, and is prohibited at Collin College, on Collin College property, or while attending Collin College-sponsored activities on or off campus.

### **Stop Campus Hazing Act Provisions**

Nothing in the [Stop Campus Hazing Act](#), or an amendment made by the Stop Campus Hazing Act, will be construed to affect the rights (including remedies and procedures) available to persons under the First Amendment of the Constitution of the United States or rights to due process.

### **Definitions**

#### ***Hazing***

For the purposes of the [Stop Campus Hazing Act](#) and [Jeanne Clery Campus Safety Act \(Clery Act\)](#) crime reporting, the term “hazing” means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate that:

1. Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
2. 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 in an athletic team), of physical or psychological injury including:
  - a. Whipping, beating, striking, electronic shocking, or placing of a harmful substance on someone’s body, or similar activity;
  - b. Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
  - c. Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
  - d. Causing, coercing, or otherwise inducing another person to perform sexual acts;
  - e. Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
  - f. Any activity against another person that includes a criminal violation of local, state, tribal, or federal law; and
  - g. 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.

#### ***Student Organization***

For the purposes of the [Stop Campus Hazing Act](#) and [Clery Act](#) crime reporting, the term “student organization” means an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two (2) 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.

### **Inclusion of Hazing Information in Annual Security Report**

The [Stop Campus Hazing Act](#) amended the [Clery Act](#) to require that beginning on January 1, 2025, institutions of

higher education collect statistics on hazing incidents that fall within the institution's Clery Act geography and are reported to a campus security authority (CSA) or local law enforcement agency. These hazing incidents must be included in the annual crime statistics reported in the institution's Annual Security Report (ASR).

In addition, institutions of higher education must include in the ASR a statement of current policies relating to hazing (as defined by the institution); how to report incidents of hazing; the process used to investigate incidents of hazing; and information on applicable local, state, and tribal laws regarding hazing. Institutions of higher education must also include in the ASR a statement of policy regarding prevention and awareness programs relating to hazing (as defined by the institution) that includes a description of research-informed campus-wide prevention programs designed to reach students, faculty, and staff. These campus-wide prevention programs must include information on:

1. The institution's current policies relating to hazing (as defined by the institution);
2. How to report incidents of hazing;
3. The process used to investigate incidents of hazing;
4. Information on applicable local, state, and tribal laws regarding hazing; and
5. Primary prevention strategies intended to stop hazing before it occurs, which may include skill building for bystander intervention, information about ethical leadership, and the promotion of strategies for building group cohesion without hazing.

To view Collin College's current ASR, go to the [Annual Security and Fire Safety Reports webpage](#).

#### Campus Hazing Transparency Report

Collin College will develop a Campus Hazing Transparency Report that will summarize the findings concerning any student organization established or recognized by Collin College that is found to be in violation of Collin College's standards of conduct relating to hazing. The Campus Hazing Transparency Report will be made available on the [Hazing webpage](#) and will be updated not less than two (2) times each year.

The Campus Hazing Transparency Report will contain information regarding each incident involving a student organization for which a finding of responsibility is issued relating to a hazing violation, including, but not limited to:

1. The name of the student organization;
2. A general description of the violation that resulted in a finding of responsibility, including whether the violation involved the abuse or illegal use of alcohol or drugs, the findings of Collin College, and any sanction(s) placed on the student organization by Collin College, as applicable; and
3. The dates on which:
  - a. The incident was alleged to have occurred;
  - b. The investigation into the incident was initiated;
  - c. The investigation ended with a finding that a hazing violation occurred; and
  - d. Collin College provided notice to the student organization that the incident resulted in a hazing violation.

The Campus Hazing Transparency Report may include information which is part of another hazing report published by Collin College that meets the requirements of the Campus Hazing Transparency Report, and any additional information determined by Collin College to be necessary or that is required to be reported by Texas state law.

The Campus Hazing Transparency Report will not include any personally identifiable information, including any information that would reveal personally identifiable information, about any individual student in accordance with the [Family Educational Rights and Privacy Act of 1974 \(FERPA\)](#).

Collin College will publish the Campus Hazing Transparency Report prominently on the institution's [Hazing webpage](#), including:

1. A statement notifying the public of the annual availability of statistics on hazing pursuant to the Annual Security Report (ASR) required by the [Clery Act](#), including a link to the ASR;
2. Information about Collin College's policies relating to hazing and applicable local, state, and tribal laws on hazing; and
3. The information included in each update of the Campus Hazing Transparency Report, which will be maintained for a period of five (5) calendar years from the date of publication of such update.

Collin College may include, as part of the publication of the Campus Hazing Transparency Report, a description of the purposes of, and differences between the ASR and the Campus Hazing Transparency Report.

Collin College is not required to develop the Campus Hazing Transparency Report until Collin College has a finding of a hazing violation. In addition, Collin College is not required to update the Campus Hazing Transparency Report if Collin College does not have a finding of a hazing violation for the period of time that would be covered by the update.

To view Collin College's current Campus Hazing Transparency Report, go to the [Hazing webpage](#).

### **Texas State Law Provisions**

The information in this section is taken from the [Texas Education Code Chapter 37, Subchapter F](#), the [Texas Education Code Section 51.936](#), Board policy [FLB \(LOCAL\)](#), and Board policy [FLBC \(LEGAL\)](#).

#### Definitions

##### *Educational Institution*

For the purposes of this policy, "educational institution" includes a public or private high school and a public or private college, university, or other postsecondary educational institution.

##### *Hazing*

For the purposes of this policy, "hazing" means any intentional, knowing, or reckless act, occurring on or off a Collin College campus, by one (1) 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:

1. 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;
2. 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;
3. Involves consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, other than as described by Item 5 below, that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;

4. 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
5. Involves coercing, as defined by the [Texas Penal Code Section 1.07](#), the student to consume a drug or an alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated, as defined by the [Texas Penal Code Section 49.01](#).

#### *Organization*

For the purposes of this policy, “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 \(NCAA\)](#) or [National Junior College Athletic Association \(NJCAA\)](#) competition, or a service, social, or similar group, whose members are primarily students.

#### *Pledge*

For the purposes of this policy, “pledge” means any person who has been accepted by, is considering an offer of membership from, or is in the process of qualifying for membership in an organization.

#### *Pledging*

For the purposes of this policy, “pledging” means any action or activity related to becoming a member of an organization.

#### *Student*

For the purposes of this policy, “student” means any person who:

1. Is registered in or in attendance at an educational institution;
2. Has been accepted for admission at the educational institution where the hazing incident occurs; or
3. Intends to attend an educational institution during any of its regular sessions after a period of scheduled vacation.

#### Personal Hazing Offense

A person commits an offense if the person:

1. Engages in hazing;
2. Solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;
3. Recklessly permits hazing to occur; or
4. Has firsthand knowledge of the planning of a specific hazing incident involving a student at Collin College, or has firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report that knowledge in writing to the district dean of students or other appropriate Collin College official, a peace officer, or a law enforcement agency.

The offense of failing to report is a Class B misdemeanor. Any other offense under this section that does not cause serious bodily injury to another is a Class B misdemeanor. Any other offense under this section that causes serious bodily injury to another is a Class A misdemeanor. Any other offense under this section that causes the death of another is a state jail felony.

Except if an offense causes the death of a student, in sentencing a person convicted of an offense under this section, the court may require the person to perform community service, subject to the same conditions imposed on a person placed on community supervision under the [Code of Criminal Procedure Chapter 42A](#), for an appropriate period of time in lieu of confinement in county jail or in lieu of a part of the time the person is sentenced to

confinement in county jail.

#### 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.

An offense under this section is a misdemeanor punishable by a fine of not less than \$5,000 nor more than \$10,000; or, if the court finds that the offense caused personal injury, property damage, or other loss, a fine of not less than \$5,000 nor more than double the amount lost or expenses incurred because of the injury, damage, or loss.

#### Consent Not a Defense

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

#### Immunity from Prosecution or Civil Liability Available

In the prosecution of a hazing offense, the court may grant immunity from prosecution for the offense to each person who is subpoenaed to testify for the prosecution and who does testify for the prosecution. Any person, including an entity organized to support an organization, who voluntarily reports a specific hazing incident involving a Collin College student to the district dean of students or other appropriate Collin College official, a peace officer, or a law enforcement agency is immune from civil or criminal liability 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 Collin College or a law enforcement agency concerning the incident or otherwise being included in Collin College's or a law enforcement agency's investigation of the incident; and
2. Cooperates in good faith throughout:
  - a. Any Collin College process regarding the incident, as determined by the district dean of students or other appropriate official of the institution designated by Collin College; or
  - b. Any law enforcement agency's investigation regarding the incident, as determined by the chief or other appropriate official of the law enforcement agency designated by the law enforcement agency.

Immunity from prosecution extends to participation in any judicial proceeding resulting from the report. A person is not immune from prosecution 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.

#### Offenses in Addition to Other Penal Provisions

This subchapter does not affect or repeal any penal law of this state. This subchapter does not limit or affect the right of Collin College to enforce its own penalties against hazing.

#### Reporting by Medical Authorities

A doctor or other medical practitioner who treats a student who may have been subjected to hazing activities:

1. May report the suspected hazing activities to police or other law enforcement officials; and
2. Is immune from civil or other liability that might otherwise be imposed or incurred as a result of the report, unless the report is made in bad faith or with malice.

### Venue

In this section, “prosecuting attorney” means a county attorney, district attorney, or criminal district attorney.

A hazing offense may be prosecuted:

1. In any county in which the offense may be prosecuted under other law; or
2. If the required written consent of a prosecuting attorney is provided, in a county in which is located the Collin College campus at which a victim of the offense is enrolled.

### Dissemination of Hazing Information

#### *On Collin College’s Website*

Collin College will develop and post in a prominent location on its website a report on hazing committed on or off campus by an organization registered with or recognized by Collin College. The report:

1. Must include information regarding each disciplinary action taken by Collin College against an organization for hazing and each conviction of hazing under the [Texas Education Code Section 37.153](#) by an organization during the three (3) years preceding the date on which the report is issued or updated, including:
  - a. The name of the organization disciplined or convicted;
  - b. The date on which the incident occurred or the citation was issued, if applicable;
  - c. The date on which Collin College’s investigation into the incident, if any, was initiated;
  - d. A general description of the incident; the violations of Collin College’s *Student Code of Conduct* or the criminal charges, as applicable; the findings of Collin College or the court; and any sanctions imposed by Collin College or any fines imposed by the court on the organization; and
  - e. The date on which Collin College’s disciplinary process was resolved or on which the conviction became final;
2. Must be updated to include information regarding each disciplinary process or conviction not later than the thirtieth day after the date on which the disciplinary process is resolved or the conviction becomes final, as applicable; and
3. May not include personally identifiable student information and must comply with the [Family Educational Rights and Privacy Act of 1974 \(FERPA\), 20 U.S.C. 1232g](#).

#### *To Each Student*

Not later than the fourteenth day before the first class day of each fall or spring semester, Collin College will distribute to each enrolled student a summary of the [Texas Education Code Chapter 37, Subchapter F](#) and a copy of, or an electronic link to a copy of, Collin College’s hazing report.

#### *At New Student Orientation*

Collin College will provide to each student who attends New Student Orientation a notice regarding the nature and availability of the hazing report, including the report’s address on Collin College’s website.

#### *In Collin College Publications*

Collin College will publish a summary of the provisions of the [Texas Education Code Chapter 37, Subchapter F](#) in each edition of the [Collin College Catalog](#) and [Collin College Student Handbook](#).

### **Reporting a Hazing Incident**

To file a report of hazing with the District Dean of Students Office, submit the [Student Incident Report](#) form, call 972.881.5604, or email [dos@collin.edu](mailto:dos@collin.edu).

**Current Hazing Reports**

To view Collin College's current Campus Hazing Transparency Report and/or state-required hazing report, go to the [Hazing webpage](#), call 972.881.5604, or email [dos@collin.edu](mailto:dos@collin.edu).