

BLINN COLLEGE DISTRICT ADMINISTRATIVE REGULATIONS MANUAL

SUBJECT: *Hazing Prevention*

EFFECTIVE DATE: June 18, 2025

BOARD POLICY REFERENCE: FLBC

Purpose

Hazing will not be tolerated at Blinn College District. Hazing is a dangerous—and at times deadly—problem that undermines the mission of higher education. All student groups (e.g. registered student organizations, intramural, club and varsity athletic teams, and all other recognized student groups) and individual students are prohibited from hazing. Hazing is prohibited in any form both on campus and off campus. Participation in hazing activities is against the law.

Violation of the College District's hazing policy, whether on or off campus, may subject participants, including students and organizations, to arrest, prosecution and/or disciplinary action, including, but not limited to, suspension or expulsion of students and the revocation of an organization's registration and/or recognition at the College District. This Administrative Regulation is in accordance with the Federal Stop Campus Hazing Act.

Definitions

As established by *Texas Education Code*, Ch. 37, Subchapter F -

1. **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:
 - (a) 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;
 - (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 a food, liquid, alcoholic beverage, liquor, drug, or other substance, other than as described by Paragraph (E), that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
 - (d) is any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code; 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 that would lead a reasonable person to believe that the student is intoxicated, as defined by Section 49.01, Penal Code.

2. **Personal Hazing Offense**

- (a) 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 in an educational institution, or has firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report that knowledge in writing to the Dean of Students or other appropriate official of the institution.
- (b) The offense of failing to report is a Class B misdemeanor.
- (c) Any other offense under this section that does not cause serious bodily injury to another is a Class B misdemeanor.
- (d) Any other offense under this section that causes serious bodily injury to another is a Class A misdemeanor.
- (e) Any other offense under this section that causes the death of another is a state jail felony.
- (f) 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 Chapter 42A, Code of Criminal Procedure, 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.

3. **Organization Hazing Offense**

- (a) 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.
- (b) An offense under this section is a misdemeanor punishable by:
 - i. a fine of not less than \$5,000 nor more than \$10,000; or
 - ii. 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.

4. **Consent Not a Defense** It is not a defense to prosecution of an offense under this subchapter that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

5. For the purposes of this regulation, hazing includes observation of hazing activities by individuals in a position to intervene but who fail to intervene, including organization officers/leaders who are aware of planned hazing activities and who condone and/or fail to prevent hazing from occurring, regardless of their participation.

POLICY OVERVIEW

1. Reporting Hazing

- (a) Allegations of Hazing – Any person having knowledge of any activity or conduct which may constitute hazing can report their concerns to the Vice Chancellor of Student Services, or the Blinn College District Police Department.
- (b) Self-Reporting of Incidents - Student organization/team members and officers/captains should immediately report any hazing incidents that occur within their organization to the Vice Chancellor of Student Services, or designee, providing a detailed description of the events that have transpired, the names of any individuals involved, and a description of any actions taken by the organization. Upon receiving the report, the Vice Chancellor of Student Services, or designee, will investigate as described in this regulation and the organization president and advisor/coach will be notified. The investigation and adjudication will proceed related to the regulation violations by the individual(s) implicated in the report, unless evidence discovered in the investigation proves the incident to have been sanctioned by the organization. If the incident appears to have been sanctioned by the organization, a follow-up investigation into the organization's role may be undertaken. If the student organization is affiliated with a national organization, the national headquarters will be notified.

2. Investigation of Allegations and Charges

Upon receiving a report of alleged hazing, the Vice Chancellor of Student Services, or designee, will assign the case to an independent investigator. As part of the investigation, the College District will:

- (a) Make contact (if possible) with the individual(s) bringing forward the allegations of hazing;
- (b) Make contact with the individual(s) alleged to have perpetrated the hazing. If the conduct is organizational in nature, the investigator will contact the advisor and president of the organization under investigation;
- (c) Conduct interviews with all parties, including victims, the accused student(s) and any witnesses. The investigator may, at his/her discretion, recommend interim action to the Vice Chancellor of Student Services, or designee, at any point during the investigation;
- (d) The investigator may, at his or her discretion, require students, or a select group of students (i.e. all new members of an organization) to participate in an investigatory meeting at a pre-determined time and location and may exercise discretion regarding the communication of students during the investigation process, including but not limited to restriction on the use of any electronic devices during the investigation process.
- (e) The investigator will provide a written investigative report to the Vice Chancellor of Student Services, or designee. Upon receipt of this report, the Vice Chancellor of Student

Services, or designee, will determine if charges are warranted. If charges are warranted, the Vice Chancellor of Student Services, or designee, will charge the individual student(s), the involved student group(s), and/or the President or other responsible officers of the involved student group(s) or any other complicit bystanders in accordance with the Student Code of Conduct.

3. Adjudication

Adjudication shall be conducted pursuant to the Student Code of Conduct.

4. Individual and Organization Responsibility

The College District will, on a case-by-case basis, determine whether any violations of this policy are individual or organizational in nature. In determining whether or not a violation is organizational in nature, the College District will consider the following:

- (a) How many members were present when the alleged violation occurred or had specific knowledge of the alleged violation?
- (b) What knowledge did the appropriate chapter officers and/or advisors have of the alleged violation?
- (c) What action did the appropriate chapter officers and/or advisors take in addressing/preventing the alleged violation?
- (d) Were chapter members acting in concert, or did the individual's membership in the chapter serve as an impetus for the alleged violation?
- (e) Did the violation arise out of a chapter sponsored, financed or endorsed event?
- (f) Is there a pattern of individual violations that have occurred without proper action by the chapter?

5. Amnesty

Students who make a hazing complaint in good faith, or victims of hazing who participate in an investigation, will not be charged with other College District policy violations that are brought to light in the course of the investigation that arose out of, or were committed as a direct result of, the hazing incident(s) under investigation (i.e. students forced to consume alcohol as part of a hazing incident will not be charged with violations of the College District's alcohol policy). The College District reserves the right to follow up with those students related to those issues as appropriate in a non-disciplinary setting.

6. Sanctions

The College District will take disciplinary action for conduct that constitutes hazing regardless of whether public authorities prosecute students under the state hazing law.

- (a) Sanctions for violations of this regulation shall be administered by the Vice Chancellor of Student Services, or designee.
- (b) Student groups subject to College District jurisdiction and individual students found responsible for violations of this regulation shall be sanctioned in accordance with the Student Code of Conduct. For student groups, sanctions may include, but are not limited to, revocation of registration or denial of application for registration, loss of College District privileges such as the ability to host social events, to formally meet on campus

and to use campus facilities, or to represent the College District, and, in the case of fraternities, sororities, and any other Nationally affiliated organizations, the right to be recognized or operate at the College District.

- (c) Sanctions imposed by the College District for violations of this regulation may be in addition to any penalty imposed for violation of the criminal laws of the State of Texas, and for violation of any other College District regulations or policies.
- (d) For groups that are formally associated with the College District (i.e. athletic teams, performing arts groups such as marching bands, or any other groups supported or sponsored by the College District that are not required to register as student organizations), sanctioning for violations of this policy shall be determined by the administrative unit that sponsors/supports the group in consultation with the Vice Chancellor of Student Services, or designee.

7. Retaliation

It is a violation of this policy to retaliate or take adverse action towards any person for reporting an alleged violation of this policy or for cooperating with a College District investigation related to this policy. Retaliation includes, but is not limited to, verbal or implied threats, physical or psychological abuse, intimidation, harassment (verbal or written), isolation, or any other action intended to create a hostile environment for the intended target of the retaliation.