



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

Operating Policy and Procedure

HSC OP: 52.20, Stop Campus Hazing Act

PURPOSE: The purpose of this Health Sciences Center Operating Policy and Procedure (HSC OP) is to provide information regarding the legal obligations outlined in Public Law 118-173, otherwise known as the "Stop Campus Hazing Act." The Stop Campus Hazing Act amended the Jeanne Clery Campus Safety Act (Clery Act), § 485(f) of the Higher Education Act of 1965, as amended (HEA) to require each domestic institution of higher education that participates in federal financial assistance programs authorized under Title IV of the HEA to comply with certain policy, disclosure, and prevention requirements related to hazing involving student organizations.

REVIEW: This HSC OP will be reviewed in January of each even-numbered year (ENY) by the Office of Institutional Compliance. Any proposed changes will then be forwarded to the President by April 1.

POLICY / PROCEDURE:

It is the goal of Texas Tech University Health Sciences Center (TTUHSC) to operate its Student Organizations in full compliance with all state and federal laws, University regulations, and administrative rules associated with the prohibition of hazing.

1. DEFINITIONS:

- a. **Campus Hazing Transparency Report:** A report required to be published and updated twice per year if an institution has a finding of a hazing violation by an established or recognized student organization.
- b. **Campus Security Authority (CSA):** An individual or organization on campus who have responsibility under the Clery Act to report allegations of Clery Act crimes, including reports of Hazing (Additional information on CSAs may be found in [HSC OP 52.18, Clery Act Compliance](#)).
- c. **Hazing:** 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 –
 - i. is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and



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- ii. 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—
 - 1. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - 2. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - 3. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - 4. causing, coercing, or otherwise inducing another person to perform sexual acts;
 - 5. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - 6. any activity against another person that includes a criminal violation of local, State, Tribal or Federal law; and
 - 7. 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.
- d. **Hazing Statistics:** Statistics concerning the occurrence on campus, in or on non-campus buildings or property, and on public property during the most recent calendar year, and during the 2 preceding calendar years for which data are available— of hazing incidents that were reported to campus security authorities or local police agencies.
- e. **Hearing Panel:** A three-member panel that will be the decision-maker and render a determination regarding responsibility, in accordance with the procedures set forth in this policy. The three-member hearing panel will include one member from the Office of Institutional Compliance, one member from the Office of Student Life, and one designated by the Office of the Provost.
- f. **Informal Resolution:** An alternative to the Investigation Process that may be offered and facilitated by TTUHSC following a report of Hazing and upon the voluntary, written consent of the parties and TTUHSC.
- g. **Interim Actions:** TTUHSC may take immediate action to eliminate a hostile environment, prevent recurrence, and address any effects on the community prior to the initiation of the Investigation Process. Interim Action(s) including, but not limited to, Interim Suspension(s) are not sanctions. Interim Actions are preliminary in nature and remain in effect only until the Investigation Process has been completed.



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- h. **Investigator:** A trained TTUHSC staff member whose role is to conduct a thorough, reliable, and equitable investigation and compile the information gathered into an Investigative Report.
- i. **Investigation Process:** The process of addressing reports of Hazing before the imposition of any disciplinary or other actions that are not Supportive Measures against a Student Organization.
- j. **Investigative Report:** A report that summarizes the relevant evidence based upon the completion of a prehearing investigation conducted under the Investigation Process.
- k. **Prevention & Awareness Programs:** Programs designed to educate students, faculty, and staff about the dangers of hazing and promote a culture of safety and accountability. Required prevention and awareness programs must be research informed, campus-wide, and designed to reach students, faculty, and staff.
- l. **Reporting Party:** An individual or entity (in the case of the University) who reports an alleged violation of this policy.
- m. **Student Organization:** 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 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. However, only Student Organizations that are recognized or established by the University shall be subject to the TTUHSC's disciplinary authority.

2. REQUIREMENTS:

- a. **Requirements in Conjunction with the Jeanne Clery Campus Safety Act**
 - i. *Annual Security Report.* Hazing statistics will be disclosed in TTUHSC's Annual Security Report.
 - ii. *Reporting to the U.S. Department of Education.* TTUHSC will include hazing statistics in the statistical data reported to the U.S. Department of Education (ED) via the annual Campus Safety and Security Survey, no later than the date specified annually by the ED.
 - iii. *Hazing Policy.* TTUHSC will publish a statement of current policies relating to hazing in the Annual Security Report.
 - iv. *Prevention and Awareness Programs.* TTUHSC will publish a statement of policy regarding prevention and awareness programs related to hazing in its Annual Security Report.
 - v. *Hazing Statistics.* Annually, TTUHSC must compile statistics for hazing incidents using the definition of Hazing published in this policy.



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- vi. *Calculating the Number of Hazing Incidents.* For hazing incidents, such statistics shall be compiled per each single hazing incident and in accordance with the definition of the term Hazing, and if the same person or persons commit more than one hazing act, and the time and place intervals separating each such act are insignificant, such acts shall be reported as a single hazing incident. If, however, the time and place intervals separating each such act are significant, each act shall be reported as a separate hazing incident.

b. Campus Hazing Transparency Report

TTUHSC shall publish a report that summarizes the findings of Hazing that cause any Student Organization established or recognized by the University to be in violation of this policy.

The Campus Hazing Transparency Report shall include, at a minimum, the following information for each Student Organization found to be in violation of the TTUHSC's hazing policy:

- i. the name of the Student Organization;
- ii. a general description of the violation that resulted in a finding of responsibility;
- iii. whether the violation involved the abuse or illegal use of alcohol or drugs;
- iv. the findings of the institution;
- v. any sanctions placed on the Student Organization by TTUHSC;
- vi. the date on which the incident was alleged to have occurred;
- vii. the date on which the investigation into the incident was initiated;
- viii. the date on which the investigation ended with a finding that a hazing violation occurred; and
- ix. the date on which the TTUHSC provided notice to the Student Organization that the incident resulted in a hazing violation.

The Campus Hazing Transparency Report shall not include any personally identifiable information, including any information that would reveal personally identifiable information, about any individual student in accordance with section 444 of the General Education Provisions Act (commonly known as the Family Educational Rights and Privacy Act of 1974, or FERPA).

The Campus Hazing Transparency Report shall be published in a prominent location on the TTUHSC Student Affairs website.

The Campus Hazing Transparency Report will be updated and published on December 1st and June 1st each year.



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All updates to the Campus Hazing Transparency Report shall remain in the report published on the public website for no less than 5 calendar years following publication of such updates.

TTUHSC shall maintain a copy of each updated Campus Hazing Transparency Report for no less than 7 calendar years following publication of the Transparency Report, in accordance with applicable Federal record retention requirements.

The Campus Hazing Transparency Report may include a description of the purposes of and differences between the Campus Hazing Transparency Report and the hazing statistics published in the Annual Security Report.

Each Campus Hazing Transparency Report shall summarize the prior six months of investigations and findings that were published by TTUHSC under the Texas state law requirements.

Specifically, [Texas Education Code §51.936\(c-1\)](#) requires postsecondary educational institutions to publish, in a prominent location on its website, a report on hazing committed on or off campus by an organization registered with or recognized by the institution. Should a University elect to publish the report required by the Texas Education Code separately from the Transparency Report, both reports should cross reference one another since they each require publication of distinct disclosures concerning disciplinary actions initiated against student organizations in response to reports of hazing.

3. Website Requirements

The Campus Hazing Transparency Report will be published online twice a year.

A statement notifying the public of the annual availability of hazing statistics published in the University's Annual Security Report with a link to the ASR.

Information about the University's policies relating to hazing.

Information on applicable local, State, and Tribal laws regarding hazing.

Applicable Texas laws, including relevant provisions of Chapter 37, subchapter F, (§§ 37.[151](#)-[157](#)) of the Texas Education Code.

4. Hazing Prevention and Awareness Programs

TTUHSC shall make available to students, faculty, and staff hazing prevention and awareness programs. TTUHSC will provide primary prevention and awareness programs for all incoming students and new employees, ongoing education to both employees and students, and will email information regarding this policy and other important information related to hazing to students at the beginning of each academic semester.



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This policy is published on TTUHSC's Hazing website and information regarding this policy and related policies is required in orientation materials for new students, faculty, and staff.

Hazing prevention and awareness programs must be informed by research, campus-wide in scope, and address the information required to be included in the University's hazing policy. Such programs must also address primary prevention strategies intended to stop hazing before hazing occurs. Primary prevention strategies may include, but are not limited to, skill building for bystander intervention, information about ethical leadership, and the promotion of strategies for building group cohesion without hazing.

5. Campus Partners

In meeting these requirements, TTUHSC departments shall consult the Clery Compliance Officer required by [System Regulation 07.05](#) (4.e.) to ensure that any policies, procedures, statistics, reports (including the Transparency Report), or other disclosures developed or updated to comply, in whole or in part, with the Stop Campus Hazing Act fully address the requirements of the Clery Act.

The following offices oversee reports of alleged hazing by or related to a Student Organization, ensure compliance with the Stop Campus Hazing Act, and manage the investigative process. Faculty, staff, and students seeking information regarding how to report Hazing, or to review statistics or the Campus Hazing Transparency Report should contact the appropriate University office:

TTUHSC Office of Student Affairs

Reports of hazing can be made online at the [TTUHSC Student Affairs Hazing Website](#) using their online [report form](#). The investigative process begins in the Office of Student Life with the report of a violation of hazing. Additionally, the Office of Student Life will publish the Campus Hazing Transparency Report.

Office of Student Life

Keri L. Shiplet, M.S.

Director of Student Life

Academic Classroom Building, Room 2C400

3601 4th Street, Lubbock, TX 79430

(806) 743-2802

Keri.Shiplet@ttuhsc.edu

TTUHSC Office of Institutional Compliance

The Clery Compliance Office oversees compliance with the Stop Campus Hazing Act. A report of hazing can be made by a CSA online on the [TTUHSC Clery Act Compliance Website](#) using the [Campus Security Authority Incident Report](#) online reporting form.



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Office of Institutional Compliance

Cindy Flores, M.S.

Clery Compliance Officer

Office of Institutional Compliance, Room 3B351F

3601 4th Street, Lubbock, TX 79430

(806) 743-2349

Cindy.Flores@ttuhsc.edu

6. Reporting Requirements

- a. *Generally.* Any individual may inquire or make a report regarding Hazing of any kind. Contact information for these offices is set forth above.
- b. *How to Submit a Report.* Any person may submit a report in person, by mail, by phone, by email, or by online form, using the contact information set forth above. A report may be made at any time (including during non-business hours) by using the phone number or email address, or by mail to the office address listed above, or by submitting an online form, if applicable. Persons wishing to remain anonymous may do so by submitting a report in an anonymous manner; however, electing to remain anonymous may limit the ability to investigate an alleged incident, collect evidence, and/or take effective action against individuals accused of violating this policy.
- c. *After Submitting a Report.* After receiving an inquiry or report, the appropriate contact will respond or address the report of misconduct. If you do not receive an acknowledgement or response, please contact the appropriate office to ensure that your inquiry or report was received.
- d. *CSA Employee Obligation to Report.* TTUHSC Employees that are designated as CSAs (including student Employees) that, in the course and scope of their employment, witness or receive information regarding the occurrence of an incident of Hazing must promptly report such incident and information to the TTUHSC Clery Compliance Officer.
- e. *Separate Reporting to Law Enforcement Agencies.* All students, Employees, and third parties may also report incidents of Hazing to law enforcement, including Texas Tech University Police and local police.
- f. *Request of Reporting Party Not to Investigate.* If the Reporting Party requests the University not to investigate the alleged incident, TTUHSC may investigate the alleged incident in the same manner that an anonymous complaint may be investigated. TTUHSC shall make every attempt to follow the wishes of the Reporting Party while weighing the interests of the campus community and the possibility of a continuing threat.



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- g. *Non-Retaliation; Amnesty for Reporting Party.* A Reporting Party who has experienced Hazing (e.g., forced consumption of alcohol) may be entitled to amnesty from student disciplinary proceedings for conduct related to the Hazing Incident. Additionally, a Student Organization may be subject to additional findings or corrective actions if any member affiliated with the Student Organization takes or attempts to take a retaliatory action against a Reporting Party.

7. Investigation Process for Hazing

Upon notice or receipt of a potential violation(s) of this policy, the applicable office listed above will gather and review information about the reported incident to evaluate the accuracy, credibility, and sufficiency of the information.

The Investigator will review initial information to determine whether the entire student organization, or a sub-group of the student organization should be a party to the Investigation Process. As the Investigation proceeds, additional parties may be included and will be notified of allegations as outlined below.

TTUHSC reserves the right to hold a sub-group of a student organization accountable for a hazing policy violation, rather than the entire student organization, when circumstances reasonably indicate that a sub-group, not the entire student organization, committed a hazing policy violation.

TTUHSC further reserves the right to forward individual actions for review by Student Conduct or Title IX.

a. Notices

TTUHSC will provide notices to the appropriate individuals and/or contacts for the Student Organizations recognized or established by the University, as required, including but not limited to:

- i. *Initial Notice to Parties.* TTUHSC shall provide written notice to the Student Organization through communication delivered to their TTUHSC email address. The Investigator may also notify a Student Organization's advisor, headquarters, or sponsoring department/organization that a referral was received by TTUHSC.
- ii. *Written Notice Via TTUHSC Email.* Any person entitled to written notice under this regulation will receive such notice to their TTUHSC email address. In the event a person is entitled to notice who does not have a TTUHSC email address, written notice will instead be provided to an email address provided by such person.



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b. Interim Actions

TTUHSC may take immediate action to eliminate hostile environment, prevent recurrence, and address any effects on the community prior to the invitation of the Investigation Process. Interim Action(s) / Suspension(s) are not sanctions. Actions are preliminary in nature and remain in effect only until the Investigation Process has been completed. A Student Organization that receives an Interim Suspension of Student Organization Activities may request a review of the decision. The process for requesting a review and participating in the review shall be provided as part of the notice of an Interim Suspension that is provided to the Student Organization.

c. Investigation

An Investigator will be appointed to conduct a thorough, reliable, and impartial Investigation of the reported allegation. TTUHSC will provide an opportunity for parties to present witnesses and evidence. Investigations may include the requirement for organization members to attend an investigation meeting as a group or as individuals, determined by the TTUHSC's discretion. Students should be aware of their Rights and Responsibilities in the student conduct process.

TTUHSC reserves the discretion to investigate all student organization misconduct. However, in the initial meeting with an Investigator, the organization may request to participate in an Informal Resolution.

d. Investigative Report

Upon completion of the investigation, TTUHSC shall create an Investigative Report that fairly summarizes the relevant evidence.

e. Hearing

If the report is not dismissed or resolved by Informal Resolution, then the complaint shall proceed to a live hearing. The hearing will be conducted in accordance with the procedure set forth in TTUHSC's Code of Professional Conduct.

f. Written Notification of Outcome

Notification of the Hearing shall be provided to the Student Organization in writing within five (5) TTUHSC working days.

g. Appeal

Organizations may appeal the decision or findings of the Hearing Panel on the following grounds:

- i. A procedural irregularity that affected the outcome of the matter;
- ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;



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- iii. The Investigator(s) or Hearing Panel Members had a conflict of interest or bias that affected the outcome of the matter; or
- iv. The sanctions imposed substantially vary from the range of sanctions normally imposed for similar infractions.

h. Process for Appeal

Organizations should submit an Appeal based on one of the above grounds by following the procedures outlined in the Code of Professional Conduct.

i. Informal Resolution Process

- i. The Informal Resolution Process presents an alternative to the Investigation Process. After the parties have been provided written notice, TTUHSC may offer and facilitate the Informal Resolution Process (which may include, but is not limited to, a mediation process). At any time prior to reaching a determination regarding responsibility, TTUHSC may begin the Informal Resolution Process by obtaining the parties' voluntary, written consent to use this Informal Resolution Process.
- ii. TTUHSC will not require any person to participate in the Informal Resolution Process. Any party may withdraw from the Informal Resolution Process at any time prior to agreeing to a resolution and resume the Investigation Process.
- iii. Participation in the Informal Resolution process may still result in a finding of Hazing that is reportable.

8. **Sanction and Remedies**

a. Potential Ranges of Sanctions

The ranges of possible disciplinary sanctions and remedies following a finding of responsibility under the Investigation Process are set forth in this Section. The ranges and examples set forth here do not reflect the probability that any particular outcome will occur.

b. Sanctions and Remedies Against Student Organizations

Possible sanctions or remedies that may be imposed on organizations can include, but are not limited to: disciplinary reprimand; disciplinary probation; disciplinary suspension; expulsion; educational training; suspension of privileges, including but not limited to participation in athletic or extracurricular activities; conditions or restrictions in organization activity; or any other sanctions or remedies as deemed appropriate by TTUHSC given the circumstances. Additional information regarding sanctions can be found in TTUHSC's Code of Professional Conduct.



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9. Non-Retaliation

Retaliation against an individual who reports a potential violation in good faith under this regulation, assists someone with a report of a violation or participates or refuses to participate in any manner in an investigation, proceeding, hearing, or other resolution of a complaint made under this regulation is strictly prohibited and will not be tolerated. Retaliation includes, but is not limited to threats, intimidation, coercion, discrimination, reprisals, or adverse actions related to an individual's employment or education. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this regulation.

TTUHSC will take appropriate steps to ensure that an individual who, in good faith, reports, complains about, or participates or refuses to participate in an investigation, proceeding, hearing, or other resolution pursuant to this regulation will not be subjected to retaliation. Individuals who believe they are experiencing retaliation are strongly encouraged to lodge a complaint with TTUHSC using the same procedure outlined in this policy.

Individuals who are found to have retaliated under this policy will be subject to disciplinary action, up to and including termination of employment, expulsion from TTUHSC, or being barred from TTUHSC premises and events.

An individual found to have knowingly and in bad faith provided materially false information may be subject to disciplinary action up to and including dismissal or separation from TTUHSC. A determination regarding responsibility alone is not sufficient to conclude that any party or witness made a materially false statement in bad faith.

10. Non-Interference with the Investigation Process

Any individual who knowingly and intentionally interferes with an Investigation Process conducted under this regulation is subject to disciplinary action up to and including dismissal or separation from TTUHSC. Interference with an Investigation Process may include, but is not limited to:

- a. attempting to coerce, compel, influence, control, or prevent an individual's participation in an investigation;
- b. removing, destroying, or altering documentation relevant to the investigation; or
- c. encouraging others provide false or misleading information.