



SAN DIEGO STATE UNIVERSITY

Student Life & Leadership
Division of Student Affairs and Campus Diversity

Matthew H. Garcia
Student Life & Leadership
mhgarcia@sdsu.edu

Conrad Prebys Aztec Student Union
5500 Campanile Drive, MC 7440
San Diego, CA 92182-7440

January 25, 2021

This is an official document.

NU ALPHA KAPPA FRATERNITY DECISION LETTER

Thank you for meeting with me on November 23, 2020 to discuss the alleged policy violations of Theft and Violation of Policies that reportedly took place on Saturday, October 17, 2020 at an off-campus residence inhabited by members of another social fraternity. During the meeting, I outlined the process and findings of Nu Alpha Kappa Fraternity's investigation.

Throughout the investigation, which included interviews with members of the organization and witnesses, it was found:

- On Friday, October 16, 2020, members of the fraternity attended a small in-person gathering at an off-campus apartment inhabited by members of a social sorority. When leaving the gathering, the members of the fraternity took a wooden letter belonging to a different social fraternity that a member of the sorority and resident of the apartment stole the night before, Thursday, October 15, 2020.
- On Saturday, October 17, 2020, in collaboration with a member of the social sorority, members of Nu Alpha Kappa Fraternity went to an off-campus apartment and stole the remaining two wooden letters belonging to the social fraternity.
- The two stolen letters were taken back to the Nu Alpha Kappa Fraternity chapter facility. In an attempt to store the letters in the backyard, both letters were damaged and later discarded.
- Nu Alpha Kappa Fraternity and the collaborating social sorority made contact with the social fraternity, admitting participation in the theft of the wooden letters. An agreement was made between all parties involved to replace the letters that were taken and damaged.

During the interview process, the San Diego State University and Nu Alpha Kappa's COVID-19 policies and member expectations were discussed. Individuals interviewed were aware of COVID-19 policies and expectations outlined by the university via email correspondence received regarding in-person interactions. Additionally, it was expressed that members involved understood the severity of their actions.

Decision

Based on the information presented during the course of the investigation, including reports, investigative interviews, and discussion during the Informal Conference, I have found that the preponderance of the evidence establishes that Nu Alpha Kappa Fraternity is responsible for violations of the following Student Organization Code of Conduct policies: Theft and Violation of Policies.



SAN DIEGO STATE UNIVERSITY

Student Life & Leadership
Division of Student Affairs and Campus Diversity

b(33)-5 Theft. *Theft of property or services from Recognized Student Organizations, student organization events or student organization facilities. “Pranks” where theft is involved are considered to be a violation of this policy.*

b(36)-4 Violation of Policies. *Violation of any other published University policy, rule, regulation or presidential order.*

As a result of the policy violations, Nu Alpha Kappa Fraternity is sanctioned to **Probation with Stipulations** through April 17, 2021.

Any further violations of University policy during the term of Probation may result in an immediate Interim Suspension. In addition to the Probation, Nu Alpha Kappa Fraternity must complete the following stipulations:

Chapter Education

Educational Workshops. Nu Alpha Kappa Fraternity is expected to host ongoing educational workshops for members of the chapter. Specifically, the following workshops are stipulated for the term of the sanction and must have 80% chapter participation:

- Spring 2021: Successful Community Living

Fraternity & Sorority Life staff can advise on presenters and workshop development. The presentations will be facilitated by trained, professional staff/volunteers of the University and/or Fraternity, or another approved speaker. Active members and Executive Board members may not facilitate the training.

It is expected that the chapter leadership will schedule a meeting with me to review and advise on the workshops and identify presenters. Documentation of workshop completion must be sent to Fraternity & Sorority Life staff within 24-hours of the workshops. Documentation should be in Google Slides format and include photos, presenter information, the strengths of the workshops and the opportunities for growth.

Lastly, the decision letter outlines the expectations for Nu Alpha Kappa Fraternity's probation. As a reminder, the university's COVID-19 policies remain in effect. With that said, the chapter is expected to continue to uphold the guidelines set by the university regarding the COVID-19 pandemic.

Failure to complete these sanctions may result in the Interim Suspension of Nu Alpha Kappa Fraternity.

Thank you again for taking the time to meet with me in the Informal Conference. We hope that the outcome of the incident will contribute to the success of Nu Alpha Kappa Fraternity at San Diego State University.



**SAN DIEGO STATE
UNIVERSITY**

**Student Life & Leadership
Division of Student Affairs and Campus Diversity**

Respectfully,

Matthew H Garcia

Assistant Director, Student Life & Leadership for Fraternity & Sorority Life

CC:

Dr. Randy Timm, Assistant Vice President for Campus Life and Dean of Students

Caryl Montero-Adams, Director, Student Life & Leadership

Alessa Becerra, Faculty/Staff Advisor, Nu Alpha Kappa Fraternity

Omar Guzman, Alumnus Advisor, Nu Alpha Kappa Fraternity

Danny Oliveira, Alumnus Advisor, Nu Alpha Kappa Fraternity

Christian Cortez II, President, United Sorority & Fraternity Council

Hope Park, Judicial Director, United Sorority & Fraternity Council