

**Office of the Dean of Students
Division of Student Affairs and Campus Diversity**

November 7, 2023

This is a confidential document.
PHI KAPPA PSI: DECISION LETTER

Thank you for meeting with Dr. Jason Fitzer on October 23, 2023 to discuss the alleged policy violations of the Student Code of Conduct for Phi Kappa Psi resulting from reported events September 5, 2023 and October 1, 2023. During the meeting, Dr. Fitzer outlined the process and findings of Phi Kappa Psi's investigation and reviewed the process facilitated by Kristen Lemaster.

Throughout the investigation, which included interviews of chapter officers and chapter members, members of the chapters shared information acknowledging the chapter does not consistently follow university and fraternity alcohol policies, and members did not fully understand how to distinguish a chapter-sponsored event with a party planned by individual members.

Decision

Based on the information gathered during the investigation, I have found based on a preponderance of evidence that Phi Kappa Psi is in violation of the following Student Organization Code of Conduct policies:

***(b)2: Alcohol.** Violation of applicable law or university policy regarding the use, possession, manufacture, or distribution of alcoholic beverages while on or off campus*

***b(20-1): Hazing or conspiracy to haze.** Hazing is defined as any method of indoctrination, initiation or pre-initiation into a student organization, or any other organization-related activity, which, regardless of location, intent, membership status or rank of the participants, or the express or implied consent of the participants, causes, or is reasonably likely to cause, physical or mental injury, substantial mental or physical discomfort or stress, personal degradation, harassment or intimidation of or to any former, current or prospective student of any educational institution.*

***(b)21: Health and Safety.** Conduct that threatens or endangers the health or safety of any person within or related to the university community, including physical abuse, threats, intimidation, harassment, sexual misconduct, throwing bottles or objects that could result in personal injury, or where three or more members of a student organization engage in group violence or taunt others to engage in violence*

As a result of the violations, Phi Kappa Psi is sanctioned to **Probation with Stipulations** through May 31, 2024. The stipulations are as follows:

Events with Alcohol. During the term of the probation, Phi Kappa Psi is permitted to host one (1) event during the Spring 2024 semester on-campus in compliance with the EAS process, or the chapter may request to host one event with alcohol at a licensed third party venue in San Diego, California. For either option, the chapter is expected to work with the PGLC Advisory Team to attest that all members and guests will ensure compliance with appropriate policies and receive guidance on planning of the event in support of health and safety. Outside of the one event with alcohol on-campus or at a licensed third party venue, the chapter is not permitted to host events with alcohol during the term of the probation.

Educational Workshops. Phi Kappa Psi is expected to host educational workshops for members of the chapter. Specifically, the following topics are stipulated with the Probation and must have 90% chapter participation:

- Chapter Membership Expectations & Risk Management
- Hazing Prevention

The presentation can be facilitated by the chapter's advisor(s), professional staff/volunteers of the university and/or Fraternity, or another PGLC-staff approved speaker. Chapter leadership is expected to document attendance for the workshop. The chapter must submit the attendance in a spreadsheet within 48 hours of the workshop. Both workshops are expected to be completed by March 29, 2024. The spreadsheet should include the *last name, first name, SDSU email addresses, and Red IDs of all student participants*, separated in columns. Additionally, the chapter must provide a reflection of the workshop to include: photos, presenter information, the strengths of the workshops and the opportunities for growth.

Risk Management Attestation. To assist members with understanding of relevant chapter and university policies and practices regarding risk management, the chapter will create a form for each member to review and acknowledge their understanding of policies and practices. Pierce Greek Life Center staff must approve the form in advance of it being shared with members. The chapter, with assistance of university staff, will create and facilitate the distribution, signature, and collection of a form for each active member. All members as of November 30, 2023, including new members who join the organization in Fall 2023, must review and attest through signature. The documents must be received by December 8, 2023. All new members who join the chapter following December 1, 2023 must also complete the attestation by March 29, 2024.

Recruitment and New Members. Before Phi Kappa Psi can recruit new members to join the chapter, a recruitment and new member education training must be provided to the chapter. The presentation should review information from Phi Kappa Psi and San Diego State University, with the following stipulations:

- 90% chapter participation must participate in the education training
- Members who do not participate in the education training are not permitted to participate in the recruitment or new member education or joining process
- An advisor must be present for any meetings with new members throughout the chapter's joining process.

The chapter will need to comply with pre-existing policy and procedures related to recruitment, including, but not limited to potential new members completing the PREP modules, providing a bid list to the Pierce Greek Life Center, and participating in the new member education program facilitated by the Pierce Greek Life Center. This stipulation applies throughout the chapter's probationary period.

Further, I would recommend the chapter reviews risk management plans during chapter meetings to provide awareness to *all* members of the chapter. The review should also communicate members' responsibility as members of the organization, but also individuals who are a part of the SDSU community. I would also recommend periodic presentations to review information related to alcohol and other drugs, risk management, and hazing prevention, as well as expectations of the fraternity from both the Phi Kappa Psi national office and the university.

Failure to complete these stipulations by the timeline may result in further judicial action for Phi Kappa Psi.

Thank you again for taking the time to meet with Dr. Fitzer in the Informal Conference. We hope that the outcome of the investigation will contribute to the success of Phi Kappa Psi at San Diego State University.

Respectfully,



Caryl Montero-Adams

Assistant Dean of Students for Student Life

CC:

Dr. Randall Timm, Associate Vice President and Dean of Students
Dr. Lee Mintz, Director, Center for Student Rights & Responsibilities
Dr. Jason Fitzer, Director, Pierce Greek Life Center
Kristen Lemaster, Associate Director, Pierce Greek Life Center
Kyle Ryan, Alumni Advisor, Phi Kappa Psi
Sam Kobari, Faculty Staff Advisor, Phi Kappa Psi
Trenton Lane, President, Interfraternity Council
Noah Eubanks, VP Judicial Affairs, Interfraternity Council