



**SAN DIEGO STATE
UNIVERSITY**

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

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This is an official document.

DELTA SIGMA PHI FRATERNITY DECISION LETTER

Thank you for meeting with me on October 5, 2020 to discuss the alleged policy violations of Aiding and Abetting, Failure to Comply, Health & Safety, and Violation of Policies that reportedly took place on Saturday, September 19, 2020 at an off-campus residence inhabited by members of the fraternity. During the meeting, I outlined the process and findings of Delta Sigma Phi Fraternity's investigation.

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

- The residence where the in-person social gathering took place was identified as a satellite or annex house of the fraternity. Further, most, if not all, residents of the property identified as members of the fraternity.
- The social gathering included loud music and individuals jumping off of elevated structures (roof) into the residence pool as captured via video.
- Besides individuals on the property lease, fraternity members living at the property expressed that there were 10-15 non-residents in attendance at the event.

During the interview process, the San Diego State University and Delta Sigma Phi Fraternity COVID-19 policies were discussed. Individuals interviewed were aware of COVID-19 policies and expectations outlined by the university and the fraternity. Additionally, it was expressed that members understood the severity of the COVID-19 pandemic.

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 Delta Sigma Phi Fraternity is responsible for violations of the following Student Organization Code of Conduct policies: Aiding and Abetting, Failure to Comply, Health & Safety, and Violation of Policies.

(1) Aiding and Abetting. *Aiding, abetting, encouraging, permitting or assisting a student or student organization to do any act that would violate a student or student organization to do any act that would violate a University policy or applicable law; or that could subject the student or student organization to discipline.*

b(16) Failure to Comply. *Failure to comply with directions or interference with any University official or any public safety officer while acting in the performance of their duties.*



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(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.*

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, Delta Sigma Phi Fraternity is sanctioned to **Probation with Stipulations** through March 19, 2020.

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

Chapter Education

Educational Workshops. Phi Delta Theta 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:

- Fall 2020: COVID-19 Educational Workshop
- Spring 2021: Post-Sanction Risk Management

Fraternity & Sorority Life 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 Matthew H. Garcia 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.

Chapter Housing Plan

Plan Development and Acknowledgement. As the chapter continues to establish housing practices in Fraternity Row, the chapter must develop an off-campus annex and satellite house plan that addresses how the fraternity will focus on the health and safety of members and guests in off-campus residences connected to members of the fraternity. The plan should clearly outline expectations for all members or residents in these spaces. Furthermore, the plan should outline how the organization will uphold national fraternal policies and bylaws, University policies, and the law.



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A draft of the plan is due to Matthew H. Garcia by February 1, 2021. The final document will be due on March 1, 2021 with signatures from all members.

Lastly, the decision letter outlines the expectations for Delta Sigma Phi'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 Delta Sigma Phi Fraternity.

While this process addressed the Violation of Policies, Aiding and Abetting, Failure to Comply, Health and Safety policy violations, there is an open investigation into additional alleged violations of the Student Organization Code of Conduct. Student Life & Leadership staff will continue to be in contact regarding the investigation process.

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 Delta Sigma Phi Fraternity at San Diego State University.

Respectfully,

Matthew H Garcia

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

CC:
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