



**SAN DIEGO STATE
UNIVERSITY**

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

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This is an official document.

KAPPA ALPHA PSI FRATERNITY, INCORPORATED DECISION LETTER

Thank you for meeting with me on November 6, 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 Friday, October 16, 2020 at an off-campus residence inhabited by members of the fraternity. During the meeting, I outlined the process and findings of Kappa Alpha Psi Fraternity, Inc. - Delta Epsilon Chapter'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, all residents of the property were identified as members of the fraternity.
- Chapter leadership was aware of the gathering prior and advised members not to move forward.
- The social gathering included music and lighting with reportedly 25 attendees in an enclosed space. Not all individuals in attendance were reported wearing facial coverings and physical distancing was not observed.
- Five members of the chapter participated in a fraternity stroll in front of all attendees present.

During the interview process, the San Diego State University and Kappa Alpha Psi Fraternity, Inc.'s 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 the Delta Epsilon chapter of Kappa Alpha Psi Fraternity, Inc. 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, Kappa Alpha Psi Fraternity, Inc - Delta Epsilon Chapter is sanctioned to **Probation with Stipulations** through April 16, 2021.

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

Chapter Education

Educational Workshops. Kappa Alpha Psi 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: COVID-19 Educational Workshop

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 Kappa Alpha Psi Fraternity, Inc. - Delta Epsilon Chapter'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 Kappa Alpha Psi Fraternity, Inc. - Delta Epsilon Chapter.



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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 Kappa Alpha Psi Fraternity, Inc. - Delta Epsilon Chapter at San Diego State University.

Respectfully,

Matthew H Garcia

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

CC:
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Finnisha Eastman, President, National Pan-Hellenic Council
Jordan Amey, Parliamentarian, National Pan-Hellenic Council