

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

January 30, 2024

This is a confidential document.

KAPPA ALPHA: DECISION LETTER

Thank you for meeting with me on December 1, 2023 to discuss the alleged policy violations of the Student Code of Conduct for Kappa Alpha resulting from reported incidents on September 30-October 1, 2023. During the meeting, I outlined the process and findings of Kappa Alpha's investigation and reviewed the process.

The investigation found Kappa Alpha hosted an unregistered event on September 30-October 1, 2023 in the chapter facility where alcohol was present. It was also identified Kappa Alpha members were unclear on university and Kappa Alpha policies related to risk management, social events, and alcohol.

Decision

Based on the information gathered during the investigation, I have found based on a preponderance of evidence that Kappa Alpha 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)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, Kappa Alpha is sanctioned to **Probation with Stipulations** through May 31, 2024. The stipulations are as follows:

Events with Alcohol. During the term of probation, Kappa Alpha 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 staff 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. Kappa Alpha is expected to host two educational workshops for members of the chapter. Specifically, the following topics are stipulated with the Probation and must have 90% chapter participation:

- Alcohol and Other Drugs
- Policy, Harm Reduction, and Risk Management

The presentation can be facilitated by professional staff 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. The documents must be received by March 29, 2024.

Further, I would recommend the chapter reviews organizational processes to plan events to provide awareness to *all* members of the chapter. 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 Kappa Alpha national office and the university.

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

Lastly, the university received three distinct reports of alleged hazing within Kappa Alpha, which are additional alleged violations of the Student Organization Code of Conduct. Please be advised that, in addition to the sanctions outlined above, the Interim Suspension of Kappa Alpha remains in effect while these additional allegations are investigated. In accordance with the terms of that Interim Suspension, Kappa Alpha's operations must remain ceased until further notice.

All members of Kappa Alpha will be expected to fully cooperate with the second investigation and review process. Be advised that providing false or misleading information, concealing information, instructing others to provide false information or conceal information, attempting to obstruct the investigation, or attempting to threaten or intimidate witnesses or others involved in the investigation will result in judicial referral of all students involved and possible sanctions on the organization.

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

Respectfully,



Caryl Montero-Adams

Assistant Dean of Students for Student Life

cc:

Dr. Randy Timm, Associate Vice President and Dean of Students
Kristen Lemaster, Associate Director, Pierce Greek Life Center
Dr. Lee Mintz, Director, Center for Student Rights & Responsibilities
David Dere, Alumnus Advisor, Kappa Alpha Order
William Fallon, Faculty/Staff Advisor, Kappa Alpha Order
Anthony Graziani, Assistant Executive Director for Chapter Services, Kappa Alpha Order
Linda Wright, Director of Risk Management, Kappa Alpha Order
Hayden Bost, President, Interfraternity Council
Noah Eubanks, Vice President for Judicial Affairs, Interfraternity Council