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## **Chi Pi Sigma Fraternity**

### **Case Creation Date:**

- April 3, 2023

### **Incident Summary:**

- In March and April of 2022, allegations were made that Chi Pi Sigma violated campus policies around hazing.

### **Student Organization Code of Conduct Violations:**

- (14) Hazing
  - Hazing in every form, or conspiracy to haze is prohibited.
  - San José State University takes a zero tolerance approach to hazing. Commission of hazing can be considered either a misdemeanor or a felony, punishable by up to one year in jail and up to a \$5000 fine. Participation in a hazing practice may result in both individual and organizational disciplinary action.
  - Hazing is defined in Section 41301 of Title 5 of the California Code of Regulations as “any method of initiation or pre-initiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily danger to any former, current, Page 4 of 7 August 21, 2007 - Student Organization Code of Conduct or prospective student of any school, community college, college, university or other educational institution in this state (Penal Code 245.6) and in addition, any act likely to cause physical or mental harm to any former, current, or prospective student of any school, community college, college, university, or other educational institution; the term ‘hazing’ does not include customary athletic events or school sanction events. Neither the express or complied consent of a victim of hazing, nor the lack of active participation in a particular hazing incident is a defense. Apathy or acquiescence in the presence of hazing is not a neutral act, and is also a violation of this section.”
  - Hazing includes, but is not limited to,
    - (H) Intense interrogation of pledges; name calling or screaming at individuals and/or prolonged periods of enforced silence or use of gags,

- (I) Requiring individuals to perform any act(s) which are construed to be humiliating or degrading in nature,
- (K) Peer pressure to engage in activities against the individual's will
- (L) Carrying or wearing any item(s) setting pledges/new members apart from the members. It is acceptable for new members to wear a pledge pin; however, it should be noted that members also have membership badges/pins that should be worn simultaneously,
- (O) Requiring activities that interfere with academic studies, assignments, or classes such as awakening individuals in the night for organizational activities, interfering with normal sleep or study schedules, food or sleep deprivation; requiring "take home" assignments that interfere with academic work; serenading or addressing houses/apartments.

### **Sanctions:**

- **Organization Disciplinary Probation Extended until May 31, 2025.** - Disciplinary Probation is a period of time in which the privileges of continuing as a RSO are conditioned upon future behavior. Conditions may include the potential loss of specified privileges to which a RSO would otherwise be entitled, and/or the probability of more severe disciplinary sanction if the organization is found to violate the Student Organization Code of Conduct or any University policy during the probationary period. Any conduct-related sanctions related to a violation of Organization Disciplinary Probation shall be determined by the Director of Student Conduct and Ethical Development, or the person's designee, in accordance with University policy governing the student organization Conduct process.
- **Review and review the organization's New Member Plan in consultation with Student Involvement prior to the start of the next recruitment cycle.** Members of the organization must provide the Associate Director of Student Involvement, or the person's designee, with an updated and revised new member plan prior to the beginning of any new member recruitment process. The organization shall not be permitted to begin any new member recruitment activities (e.g., canvassing, tabling, hosting activities, etc.) until receiving written permission from the Director of Student Involvement, or the person's designee. The revised new member plan should address the following problematic areas, either by revising the text of the new member plan or by including language to clarify/prevent future issues. Remove or significantly change the process by which new members construct "the Pledge Book" to ensure that the task is clear, achievable, and in line with your learning goals for the activity. In reference to the creation of the "tabs" and "labels", these should either be provided for the students or the task should be set up so that these can be created within a single work session. Address Memorandum punishment - remove group punishment us and remove public behavioral correction use. Remove requirements for new members to carry or track items, such as specific pens. Revamp the process by

which new members gain signatures from active members to ensure that there is no quizzing of new members nor any requirement for them to complete specific tasks to earn signatures. Review the “activation” ceremony to ensure that all pledges are aware of the requirements and expectations for them prior to the event, as well as what accommodations and options are available to them.

- **All members and future members must complete an Anti-Hazing Workshop on or before 12/31/23.** All current and future members must participate in a workshop about hazing. Work with Student Involvement to complete this workshop. Submit documentation of the workshop and a roster of attendees to Student Conduct and Ethical Development at [studentconduct@sjsu.edu](mailto:studentconduct@sjsu.edu).
- **Meetings with the Director of Student Involvement, or the person’s designee, throughout the Fall and Spring academic terms while the organization is on Organization Disciplinary Probation.** Given the length of your probation period, it is expected that you will meet bi-weekly for the first academic year (until the end of Spring 2024) and then monthly thereafter.
- **Develop and Present a Curriculum Plan for the organization by 12/31/23.** This presentation should demonstrate what students are learning and/or gaining from participating in your organization, and what methods you are using to help their learning and development. This presentation will be presented to Student Involvement and Student Conduct and Ethical Development, however other key university staff or organizational stakeholders may be invited to attend. A prompt and grading matrix is attached and a passing grade is required.
- **Develop an internal procedure for addressing violations of the constitution by 12/31/23.** This procedure should be a step-by-step process discussing how any alleged issue is dealt with within the organization, including how incidents are investigated, how they are decided on, how information is communicated to those involved, what is the role of advisors in the process, how/when issues are referred to student involvement or student conduct, etc. You can work with Student Involvement or Student Conduct and Ethical Development in developing this document. Submit documentation of the procedures to Student Conduct and Ethical Development at [studentconduct@sjsu.edu](mailto:studentconduct@sjsu.edu)