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San Marcos
Sonoma
Stanislaus

Chi Pi Sigma Fraternity

Case Creation Date:

- December 4, 2020

Incident Summary:

- *It is alleged that Chi Pi Sigma was engaging in activities that violated local, state and university COVID guidelines in addition to activities that may be against the Recognized Student Organization Handbook in regards to new member activities.*

The investigation into the reported incidents found the pledging activities were held in person during Summer & Fall semesters not following local, state and university COVID guidelines.

The investigation in reported incidents found that pledge projects, interrogations and requirements were consistent from semester to semester. Numerous individuals also detailed an incident over the summer where a pledge did not want to complete a task and an alumni member was asked to confront the member. Numerous individuals also reported concerns about Fall/Spring Dinner, also referred to as Hell Night. In addition to interrogation, pledges were subjected to a scenario involving strobe lights, mannequins covered in fake blood, bb-gun, ammunition and other items.

Student Organization Code of Conduct Violations:

- (1) Aiding and Abetting
 - (B) A student organization aiding and abetting another person or group in violation of a University policy or procedure or local, state, or federal law,
 - (C) Encouraging, permitting, or assisting another to do any act that could subject him or her to discipline.
- (8) Failure to Comply
 - (A) Failure to comply with the directions of University officials acting in the performance of their official duties,
 - (C) Failure to follow all policies and procedures established by the University pertaining to student organizations, including fraternities and sororities, as outlined in the Student Organizations Handbook,

- (11) Firearms, Fireworks, Weapons and Explosives
 - (A) It is prohibited to carry or contain firearms, ammunition, gun powder, air rifles, air pistols, paintball guns, guns of any kind, knives, replicas or other weapons, dangerous chemicals, or explosive materials, except as authorized in supervised academic programs, on campus or at group
- (12) Guests
 - Student organizations are responsible for informing their guest(s) of University policies and procedures and will be held accountable for the behavior of their guest(s).
- (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 preinitiation 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, 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.” The following non-exhaustive list of activities meet this criterion,; accordingly, they are considered forms of hazing:
 - (H) Intense interrogation of pledges; name calling or screaming at individuals and/or prolonged periods of enforced silence or use of
 - (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,
 - (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. At no time may a group violate the City noise ordinance.
- (24) Violations of Civil or Criminal Law
 - Student organizations in violation of local, state or federal law are in violation of the University Code of Conduct. University sanctions for such

violations may be imposed independent of and prior to the disposition of any legal proceeding in a civil or criminal justice case.

Sanctions:

- **Organization Disciplinary Probation/Deferred Suspension until December 31, 2024.** 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.
- **Membership Recruitment Restriction is effective immediately until January 1, 2022.** During the Membership Recruitment Restriction period, the organization shall not be permitted to recruit members, participate in, or host, recruitment activities. The organization must complete all sanctions as outlined by the Office of Student Conduct and Ethical Development, and receive approval from the Director of Student Involvement, or the person's designee, prior to resuming membership recruitment activities.
- **Development and review of an organizational New Member Plan in consultation and approval by Student Involvement prior to the start of each recruitment through December 31, 2023.** Members of the organization must provide with the Director of Student Involvement, or the person's designee, a new member plan prior to beginning any new member recruitment processes. The organization shall not be permitted to conduct new member recruitment activities (e.g., canvassing, tabling, hosting or participating in recruitment events, etc.) until receiving written permission from the Director of Student Involvement, or the person's designee. Items such as Fall/Spring Dinner or more commonly known as "Hell Night", intimidation of pledges and all other activities that constitute hazing must be eliminated indefinitely.
- **Development and review of an organizational House Rules/Living Agreements.** Members of the organization must provide with the Director of Student Involvement, or the person's designee, a list of house rules/living agreements to ensure compliance with University and Clery policies. The plan must be approved by the Director of Student Involvement, or the person's designee and the Clery Compliance Director, or the person's designee.
- **COVID-19 Expectation Agreements signed by all members through Fall 2021.** 100% of the chapter membership (active & new members) must sign COVID-19 Expectation Agreements prior to any recruitment activities each semester. Agreements will be provided to chapter leadership by Student Conduct & Ethical Development via DocuSign. Chapter leadership is responsible for ensuring

completion. The agreements must be submitted to Student Conduct & Ethical Development prior to the start of any recruitment activities.

- **Change of Leadership by April 1, 2021:** Through the investigatory process, individuals expressed concerns about policy adherence of current leadership. As such, Chi Pi Sigma must elect a new president.
- **Elimination of Alumni/Non-Active Member Involvement in Pledge Process.** Only active enrolled SJSU students can participate in all pledging activities.
- **Elimination of Off-Campus Bank Accounts.** SJSU prohibits recognized student organizations from having off-campus bank accounts without explicit approval from Administration & Finance.
- **Initiation of Fall 2020 New Members by April 1, 2021** - Fall 2020 New Members must be initiated by April 1, 2021. Formally inform the Director of Student Involvement, or the person's designee, of initiation by April 1, 2021.
- **Policy, Procedures, Expectations & Guidelines Canvas Course by May 31, 2021** 100% of your membership must participate in an online Canvas course about the Student Organization Handbook and other policies. Completion is expected from all members to serve as a way to educate the entire organization. Failure to complete this course by the deadline will result in a suspension of activities.
- **Anti-Hazing Course via Vector Solutions Yearly until December 31, 2023** – 100% of your membership must participate in an online training course about hazing. Completion is expected from all members to serve as a way to educate the entire organization, including pledges, about hazing. Failure to complete this course by the deadline will result in a suspension of activities.
- **Anti-Hazing Agreement Forms must be signed by all new and active members of the organization on a semesterly basis until December 31, 2024.** 100% of the chapter membership (active & new members) must sign Anti-Hazing Agreement Forms prior to any pledging activities each semester. Agreements will be provided to chapter leadership by Student Conduct & Ethical Development via DocuSign. Chapter leadership is responsible for ensuring completion. The agreements must be submitted to Student Conduct & Ethical Development prior to the start of any recruitment activities.
- **Continued Cease and Desist Order until the end of the Student Conduct appeal process or accepting of the proposed sanctions.** A Cease and Desist Order stipulates that the organization is restricted from conducting and/or participating in organized or community activities. This includes, but is not limited to, participating in or hosting social events, philanthropy, fundraisers, service activities, and/or meetings of any kind. While active, a Cease and Desist Order requires that any organization-related communication involving active members and pledges/new members must be limited to the distribution and clarification of conduct-related sanctions. Communication

includes, but is not limited to, in-person meetings, email, SMS messages, and social media. A violation of a cease and desist directive may lead to more severe university sanctions that could, among other sanctions, include the organization's permanent withdrawal of recognition from the institution.