

The California State University:
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San Marcos
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Stanislaus

Delta Sigma Phi Fraternity

Case Creation Date:

- February 18, 2025

Incident Summary:

- On February 17, 2025, a report was received alleging hazing within the Delta Sigma Phi fraternity. Through the course of the investigation, it was determined that between Spring 2023 and Spring 2025, Delta Sigma Phi engaged in repeated and systemic hazing practices during its new member process.

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.
- (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, 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."

- (02) Alcohol
 - A copy of the University's Alcohol Policy shall be provided to each student organization president and must be followed. The University's Alcohol Policy is in compliance with California Law, which prohibits the sale or giving of any alcoholic beverage to any person under the age of 21. Student organizations are in violation of University policy if any individuals under the age of 21 are in possession of alcoholic beverages at an activity sponsored/hosted by the student organization and/or if intoxicated individuals consume alcohol. All student organization presidents must sign an agreement to abide by and uphold the University's Alcohol Policy as well as present an alcohol awareness program to their organizations (should be pre-approved by the Prevention Education Program Center) or arrange for an alcohol awareness program approved by the Prevention Education Program Center. Student organizations sponsoring events are responsible for following the appropriate procedures to prevent underage drinking, including providing alternatives to alcohol.
- (5) Disorderly Conduct
 - (A) Any offensive or disorderly act or display which interferes with the rights of others,
 - (B) Harassment, threats, physical abuse, intimidation or the threat of physical abuse, including bias-related incidents.
 - (C) Excessive noise which is disruptive to the campus or surrounding community
- (7) Endangerment
 - Reckless or intentional acts which endanger the welfare of group members or others as well as compromising the security measures of the campus.
- (08) Failure to Comply with Student Organizations Handbook
 - (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.
- (13) Harassment and Abusive Behavior
 - 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, or sexual misconduct is prohibited.

Sanctions:

- Organization Disciplinary Probation until December 31, 2026.

- Continuation of the Cease and Desist Order until the end of the Student Conduct appeal process or until acceptance of the proposed sanctions.
- Every other week meeting with the Director of Student Involvement, or the person's designee, throughout the Fall and Spring academic terms until the end of probation.
- Restriction of New Member Education Activities until you complete the following two items:
 - 1) Approval of a New Member Plan
 - 2) Anti-Hazing Education Workshop
- The organization shall not be permitted to host or co-host events with alcohol until December 31, 2025.
- Regular Conduct History Review Meetings for New Officers until the end of probation.
- Comply with Sanctions from Delta Sigma Phi National Headquarters