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Delta Sigma Phi Fraternity

Case Creation Date:

- October 23, 2019

Incident Summary:

- *It is alleged that Delta Sigma Phi Fraternity participated in hazing during the Fall 2019 new member process. Activities new members participated in included: alcohol, cannabis, required gym hours, required interviews, calisthenics, dressing in embarrassing attire, performing humiliating acts, acts of servitude, and ultimately impacted academics.*

Student Organization Code of Conduct Violations:

- (1) Aiding and Abetting:
 - (C) Encouraging, permitting, or assisting another to do any act that could subject him or her to discipline.
- (02) Alcohol
- (8) Failure to Comply
 - (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.
- (14) Hazing
 - (A) Physical activities such as calisthenics, jogging, sit-ups, pushups, or carrying of objects such as bricks, stones, blocks, or any other item(s) which serve to create physical hardships, discomfort, and/or distress.
 - (F) Dress in revealing, embarrassing, or uncomfortable clothing or any type of uniform,

- (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,
 - (M) Forced servitude such as shining shoes or boots; cleaning rooms, apartments, houses, cars, etc.; washing clothes or dishes; running personal errands; or other services or duties not normally shared by initiated members; requiring individuals to purchase items or services for other members,
 - (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.
- (17) Pledging and New Member Intake
 - Student organizations that are not in compliance with pledging/new-member education requirements as outlined in their local and national constitutions and/or by-laws.
 - (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:

- **Complete the Chapter Advancement Plan from Delta Sigma Phi International Fraternity.**

Work with Student Involvement to ensure compliance and completion of the Chapter Advancement plan. Student Involvement and Delta Sigma Phi International Fraternity will alert Student Conduct and Ethical Development to the completion of this sanction.

- **Organization Disciplinary Probation through December 31, 2021.**

The organization shall be placed on Organization Disciplinary Probation for two years. Organization Disciplinary Probation is a period of time in which the privileges of continuing as a RSO are conditioned upon behavioral action. Conditions of Organization Disciplinary Probation may include the potential restriction or loss of specified privileges to which a RSO would otherwise be entitled, and/or the probability of more severe disciplinary sanctions should the organization be found to have violated the Student Organization Code of Conduct or any University policy during the probationary period.

- **Organization Event Restriction – Social Event Restriction effective through May 31st, 2020.**

The organization is restricted from hosting social events during the first semester. The Office of Student Conduct and Ethical Development defines a social event as any organized function that has a primary purpose of entertaining and/or socializing. Service, alumni, fundraising, and brotherhood events are permitted. All service, alumni, fundraising, and brotherhood events must be approved by Student Involvement. While SJSU Office of Student Involvement procedures and expectations must be followed and adhered to when planning, registering, and hosting organizational events, unofficially-recognized gatherings of individuals may also be considered organizational events according to a reasonable person standard.

- **Organization Event Restriction – Substance-free event restriction effective through December 31st, 2020.** During the Organization Disciplinary Probation period, any event or activity that a reasonable person may label as an organization-affiliated or attended function must be substance free. SJSU defines a substance-free environment as a setting that prohibits and lacks the presence of drugs and alcohol, including any legal medicinal and/or recreational drugs recognized by California state law. While SJSU Office of Student Involvement procedures and expectations must be followed and adhered to when planning, registering, and hosting organizational events, unofficially-recognized gatherings of individuals may also be considered organizational events according to the reasonable person standard.

- **Development and review of an organizational New Member Plan - prior to beginning recruitment activities.** Members of the organization must meet with the Director of Student Involvement, or the person's designee, to develop a University-approved new member plan prior to beginning any new member recruitment processes. Additionally, the governing leadership of the organization (e.g., national or regional executive board) must be informed and approve of the new member plan

prior to its enactment. 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.

- **Elimination of Gym Hours as New Member Requirement** - Additionally, no alternative physical requirement or expectations are allowed to be added to the new member process.
- **Development and review of Interview Process & Big Brother Reveal. Potential elimination of either or both if inability to adjust to be hazing free.** The chapter shall not be permitted to conduct interviews internal to the organization during the new member/pledge process and/or have Big Brother Reveal until a meeting occurs with the Director of Student Involvement, or the person's designee, to develop a University-approved interview plan. Additionally, the governing leadership of the organization (e.g., national or regional executive board) must be informed and approve of the new interview process prior to its enactment.
- **Anti-Hazing Workshop for Organization Members.** Prior to the start of any new member recruitment processes, all registered organization members must meet with the Director of Student Involvement, or the person's designee, to complete an educational anti-hazing workshop that details: (a) the SJSU definition of hazing; (b) the organization's alleged Conduct-related violations of university hazing policy; (c) University expectations concerning anti-hazing behaviors; (d) discussion of the organization's university-approved new member recruitment process; (e) the possible methods for reporting an alleged violation of the University hazing policy; and (f) the possible consequences of violation of the University hazing policy.
- **Anti-Hazing Workshop for individuals receiving a new member bid from the organization.** Within two weeks of bid acceptance, anyone accepting an offer from the organization must meet with the Director of Student Involvement, or the person's designee, to complete an educational anti-hazing workshop that details: (a) the SJSU definition of hazing; (b) the organization's alleged Conduct-related violations of university hazing policy; (c) University expectations concerning anti-hazing behaviors; (d) discussion of the organization's university-approved new member recruitment process; and (e) the possible methods for reporting an alleged violation of the University hazing policy.
- **Every Other Week 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.** The president of the organization is required to attend 30 minute check-in meetings every other week with the Director of Student Involvement, or the person's designee, to discuss organization activities and to establish an organization redevelopment plan (see attached document for reference).
- **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, including the organization's permanent withdrawal of recognition from the institution.