

The California State University:
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San Bernardino
San Diego
San Francisco
San José
San Luis Obispo
San Marcos
Sonoma
Stanislaus

Kappa Sigma

Case Creation Date:

- May 19, 2025

Incident Summary:

- *It was reported to our office that hazing has been occurring in Kappa Sigma's new member education program.*

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.
- (2) 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.
- (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
 - 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.
- (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.

Sanctions:

- **Organization Disciplinary Probation through December 31, 2026.** 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 future behavior. Possible consequences for violating university expectations while on Organization Disciplinary Probation may include, but be limited to, the loss of specified privileges to which an RSO would otherwise be afforded, and/or the probability of more severe disciplinary sanctions if the organization is found to have violated the Student Organization Code of Conduct or any University policy during the probationary period. Any Conduct-related sanctions related to a violation of the Organization's 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. Probation is entered on the Student Involvement website (i.e., "Recognized Student Organization (RSO) Conduct"), with beginning and end dates.
- **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.** The president of the organization is required to attend check-in

meetings with the Director of Student Involvement, or the person's designee, to discuss ongoing operations within the chapter in addition to the new member process. The president of the organization is responsible for scheduling those meetings. Other members of the organization may be required to attend at the request of student involvement.

- **Restriction of New Member Education Activities until an updated New Member Plan is approved** An updated new member education plan must be approved in writing by both Student Involvement and your Headquarters. This plan must be detailed and include all aspects of the new member education.
- **Anti-Hazing Education Workshop by the end of dry recruitment.** At least 90% of current members must attend an in-person hazing prevention training. This presentation will be led by Student Conduct and Student Involvement. You are responsible for ensuring that there is a location available with presentation capabilities and for scheduling the presentation through your conduct adjudicator.
- **Regular Conduct History Review Meetings for New Officers until the end of probation.** Within 30 days of each election, all new officers must attend a Conduct History Review meeting with Student Conduct and Ethical Development or their designees. This meeting will provide an overview of the organization's conduct history to ensure that new leadership is informed about past concerns and expectations to maintain the organization's good standing with the university. The term "New Officers" is defined as those entering a new position. This does not include individuals continuing in the same position in consecutive semesters. It does include any officers transitioning to a different role as well as any officers returning to a position in nonconsecutive semesters. Following the meeting, those in attendance are expected to share the information learned at the next regularly scheduled chapter meeting. The president is responsible for scheduling the Conduct History Review Meeting and ensuring that all new officers attend. The president can do so by contacting the Office of Student Conduct at studentconduct@sjsu.edu within the prescribed thirty day timeframe.
- **Comply with Sanctions from your National Headquarters** Complete the sanctions from your national headquarters by date listed. The president is responsible for ensuring that Student Involvement and Student Conduct and Ethical Development are updated on your progress.
- **Online Training as required by National Headquarters** Per your National Headquarters requirements, you must complete the following online education modules through Tightrope: (1) The Facts About Alcohol and Other Drugs; (2) The Culture of Drinking; (3) Hazing Awareness and Being a Safe Student; (4) Healthy Relationships and Sexual Misconduct; and (5) Mental Health. Every attempt for 100% participation is expected; however, a minimum of 90% of new members and active members must complete the modules. The president will inform Student Conduct and Ethical Development when this sanction is completed.

- **Restriction of Privileges: Substance-free through December 31, 2025, as required by National Headquarters** Per your National Headquarters, the student organization, Kappa Sigma, is to be alcohol free during the duration of the restriction of privileges. Restriction of Privileges is entered on the Student Involvement website with beginning and end date.