

Office of the Dean of Students
Division of Student Affairs and Campus Diversity

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This is an official document.

KAPPA SIGMA FRATERNITY: DECISION LETTER

An Informal Conference was held on September 30, 2022 to review Kappa Sigma's involvement in alleged violations of the following policies of the Student Organization Code of Conduct in April 2021: Hazing and Conspiracy to Haze. Kappa Sigma was assigned the sanction of Suspension in May 2020 for violations of policies in the Student Organization Code of Conduct, specifically Aiding and Abetting, Alcohol, Failure to Comply, Hazing or Conspiracy to Haze, Health and Safety, and Violation of Policies. As such, Kappa Sigma is not a Recognized Student Organization as the recognition status was revoked in May 2020. It was noted in the Informal Conference that the hazing policy outlined in the Student Organization Code of Conduct establishes that *"a group of students acting together may be considered a 'student organization' for the purposes of this policy, whether or not they are officially recognized."*

During the Informal Conference, President Micah Selby and Advisor Jim Miller represented the organization. Student Life Advisor for the Center for Fraternity & Sorority Life, Kayla Snow, was also present. During the Informal Conference, we reviewed alleged hazing behaviors documented in police reports disclosed to me on August 17, 2022, as well as additional information presented during interviews with members. We discussed evidence of forced alcohol consumption, mandatory exercises, servitude, forced eating of nausea-inducing foods, and intimidation. We also specifically discussed concerns about Big/Little Reveal, which took place in April 2021 and caused serious physical harm to a new member. During the Informal Conference, the chapter was not forthcoming with information, and the representatives present stated that they could not answer many of the questions asked.

Decision

Based on the information presented during the investigation, including police reports, I have found Kappa Sigma to be responsible for violations of the Hazing and Conspiracy to Haze policies of the Student Organization Code of Conduct.

***b(20)-1 Hazing or Conspiracy to Haze.** Hazing is defined as any method of indoctrination, initiation or pre-initiation into a student organization, or any other organization-related activity, which, regardless of location, intent, membership status or rank of the participants, or the express or implied consent of the participants, causes, or is reasonably likely to cause, physical or mental injury, substantial mental or physical discomfort of stress, personal degradation, harassment or intimidation of or to any former, current or prospective student of any educational institution.*

***b(20)-2 Hazing or Conspiracy to Haze.** Hazing also includes any activity that compels a student to participate in any activity that is unlawful, publicly indecent or contrary to the policies and regulations of the University, or any activity that unreasonably and materially interferes with a student's academic efforts.*

As a result of the Hazing and Conspiracy to Haze policy violations, Kappa Sigma is sanctioned to **Expulsion** and is not eligible to participate in the Interfraternity Council's expansion selection process until **April 30, 2031**. Once eligible, Kappa Sigma will be able to participate in the expansion selection process, including applying and potentially interviewing with the

Interfraternity Council. Participating in the IFC Expansion process does not guarantee, if or when, Kappa Sigma will be selected to establish at SDSU. Student organization recognition of Kappa Sigma has been revoked until Kappa Sigma is approved to reestablish at San Diego State University. A formal invitation letter will be sent to the fraternity headquarters once the fraternity completes the IFC expansion process and is confirmed by the university.

In addition to the sanction of Expulsion, Kappa Sigma must complete the following stipulations prior to, through, and after the establishment process:

Members of Kappa Sigma who were active during the 2019-20, 2020-21, 2021-22, and 2022-23 academic years and who retain their international membership, may not engage with the undergraduate chapter during and after the establishment. When graduated, the individuals may not serve in advisory roles and may not have contact with undergraduate members.

Any further violations by Kappa Sigma of university policy during the term of the Expulsion may result in additional conduct charges, which may lead to a lengthened period of expulsion.

Please be advised that this organizational decision has no impact on individual conduct proceedings. The content of this letter only reflects the outcome of the organizational administrative investigation.

Lastly, it should be noted that while Micah and Jim expressed that behaviors have changed within the organization since the 2020-21 academic year, they would not state what specific behavioral changes were made or why. They stated that they were unable to answer many of the questions posed. Further, while the chapter stated they were unable to provide membership rosters for the 2020-21 and 2021-22 academic years due to poor recordkeeping, the national office was able to provide these records in November 2022. Overall, there are serious concerns that the chapter was not forthcoming and concealed information (for example, membership lists) from the university during this process.

Respectfully,



Caryl Montero-Adams

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CC:

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