



**SAN DIEGO STATE
UNIVERSITY**

Division of Student Affairs

**Caryl Montero-Adams, Director
Student Life & Leadership
Phone 619-594-5221**

**Conrad Prebys Aztec Student Union
5500 Campanile Drive, MC 7440
San Diego, CA 92182**

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This is an official document.

THETA CHI FRATERNITY DECISION LETTER

Thank you for meeting with Matthew H. Garcia, Assistant Director of Student Life & Leadership, and me on December 4, 2019 by phone. In the Informal Conference, allegations of policy violations were discussed. Specifically, the group discussed a series of alleged violations that took place over the Spring 2019-Fall 2019 terms. The reports resulted in the Interim Suspension of the fraternity on October 10, 2019 for allegations of the Alcohol, Dishonesty, Harassment and Abusive Behavior, Hazing, and Health and Safety policies.

In addition to the reported incidents, the group discussed the status of the chapter with the Headquarters and the University, and the findings identified during the course of the investigation. Specifically we discussed an overview of the investigation and investigative themes, including hazing, alcohol, injury and physical altercation, and failure to follow directives.

Overview of Reports

The Office of the Vice President for Student Affairs, the Office of Student Life & Leadership, the Residential Education Office, and the Center for Student Rights & Responsibilities received several incident reports regarding alleged misconduct by Theta Chi fraternity during the Fall 2019 term. During the Informal Conference, we reviewed reports received from September 2019-November 2019.

Overview of Investigation

The Office of Student Life & Leadership collaborated with the Center for Student Rights & Responsibilities and the Theta Chi Headquarters in conducting the investigation of alleged organizational misconduct. The Center for Student Rights & Responsibilities met with dozens of students to discuss individual allegations of the Student Code of Conduct connected with Theta Chi. During the individual conduct meetings, several themes related to the organization were found regarding hazing, alcohol, and injuries.

Findings

During the meetings with the Center for Student Rights & Responsibilities, it was found that hazing behaviors were prevalent in Theta Chi since Fall 2017. The behaviors may have begun prior to Fall 2017, but the earliest confirmed date was in the 2017-18 academic year. The enacted new member education process was to be guided by Theta Chi's national new member education program. The local chapter did not follow the national program. During meetings, it was found that members of the fraternity acknowledged that they were "technically" hazed but didn't feel like it was hazing. Founding hazing behaviors include: servitude, physical activity, forced consumption of alcohol, forced consumption of unusual substances, degradation, and I-Week activities.



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During the course of the investigation, it was also found that Theta Chi hosted or participated in several social events and events with alcohol during both the University's dry period and the chapter's Intertim Suspension. Hard liquor was present and served at the events, where alcohol was freely accessible to guests, including minors. Additionally, there were findings of two physical altercations and three injuries of members during the investigation.

In addition to the findings of hazing, alcohol, and injury/physical altercations, chapter members exhibited a blatant disregard for directives of the University, including the Office of the President, the Office of the Vice President for Student Affairs, the Office of Student Life & Leadership, and the SDSU Police Department. The chapter acted as if the organization and members were beyond reproach while simultaneously facilitating a dangerous environment. The actions taken by the chapter are antithetical to the purpose of the fraternal experience.

Based on the preponderance of the evidence gathered during the investigation, including incident reports, admissions by members of Theta Chi, interviews, and photos, I have found Theta Chi to be in violation of Aiding and Abetting, Alcohol, Dishonesty, Failure to Comply, Hazing or Conspiracy to Haze, Health and Safety, Violations of Policy, Violations of Law, and Violations of the Student Organization Conduct Procedures policies.

b(1) Aiding and Abetting. *Aiding, abetting, encouraging, permitting or assisting a student or student organization to do any act that would violate a University policy or applicable law; or that could subject the student or student organization to discipline.*

b(2) Alcohol. *Violation of applicable law or University policy regarding the use, possession, manufacture, or distribution of alcoholic beverages while on or off campus.*

b(11)-1 Dishonesty. *Furnishing false information to an official of the University or of a University auxiliary organization or law enforcement agency.*

b(16) Failure to Comply. *Failure to comply with directions or interference with any University official or any public safety officer while acting in the performance of their duties.*

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 or 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.*



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b(21) Health and Safety. *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, sexual misconduct, throwing bottles or objects that could result in personal injury, or where three or more members of a student organization engage in group violence or taunt others to engage in violence.*

b(36)-4 Violation of Policies. *Violation of any other published University policy, rule, regulation or presidential order.*

b(37) Violations of Law. *Any organization-related act chargeable as a violation of federal, state, or local law.*

b(38)-1 Violation of the Student Organization Conduct Procedures. *Falsification, distortion, or misrepresentations of information related to a student organization discipline matter.*

b(38)-6 Violation of the Student Organization Conduct Procedures. *Failure to comply with the sanction(s) imposed under a student organization disciplinary proceeding.*

As a result of the Aiding and Abetting, Alcohol, Dishonesty, Failure to Comply, Hazing or Conspiracy to Haze, Health and Safety, Violations of Policy, Violations of Law, and Violations of the Student Organization Conduct Procedures policies, Theta Chi is sanctioned to **Suspension** and is not eligible to participate in the Interfraternity Council's expansion selection process until **August 2023**. Once eligible, Theta Chi 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, Theta Chi will be selected to establish at SDSU. Student organization recognition of Theta Chi has been revoked until Theta Chi 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 Suspension, Theta Chi must complete the following stipulations prior to, through, and after the establishment process:

- Members of Theta Chi who were active during the 2017-18, 2018-19, and 2019-20 academic years 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.
- Individuals serving as the Theta Chi live-in advisor during the time of the incidents (2017-2019) are not eligible to serve as advisors, live-in or otherwise, to the organization following the establishment.
- Once the formal invitation for expansion is sent to Theta Chi, the chapter advisor(s) should begin to attend monthly advisor meetings hosted by Student Life & Leadership staff. Additionally, advisors are expected to attend trainings facilitated by Student Life & Leadership staff as they are espoused.

As stated during the Informal Conference, I want to recognize the actions that the Theta Chi national headquarters has taken to address the serious allegations of misconduct by members of the SDSU chapter. The (national) fraternity



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suspended all members of the organization, closed the chapter facility, and continues to work with the University to address concerns. We deeply appreciate the actions taken by Theta Chi and for the partnership exhibited by Ray Vanlanot.

Thank you again for taking the time to meet with Matthew H. Garcia and me in the Informal Conference.

Respectfully,

Caryl Montero-Adams

Director

cc:

Christy Samarkos, Interim Vice President for Student Affairs

Dr. Randy Timm, Assistant Vice President and Dean of Students, Division of Student Affairs

Matthew H. Garcia, Assistant Director for Fraternity & Sorority Life, Student Life & Leadership

Jessi Moore, Student Life Advisor for Fraternity & Sorority Life, Student Life & Leadership

Dr. Lee Mintz, Director, Center for Student Rights & Responsibilities

Steven Plante, President, Interfraternity Council

Lee Abed, Vice President Judicial Affairs, Interfraternity Council