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## **Kappa Sigma Fraternity**

### **Case Creation Date:**

October 20, 2025

### **Incident Summary:**

- *On Thursday, October 16, 2025, Kappa Sigma hosted Alpha Omicron Pi for a registered substance-free social event. It was reported by members of both Kappa Sigma and Alpha Omicron Pi that alcohol was present at the event.*
- *Following the event, there were multiple reported unauthorized entries into Alpha Omicron Pi's chapter property. During these incidents, items were taken, including but not limited to chapter letters, composite photographs, and personal items.*
- *It was further reported that individuals involved in the unauthorized entry wore masks and disguises while entering the chapter facility. Members of Alpha Omicron Pi who encountered these individuals reported experiencing fear as a result of the incidents.*
- *It was further reported that new member educators participated in this activity, which was predominantly carried out by newly initiated members of the Fall 2025 new member classes.*
- *Additionally, it was reported that leaders of the organization pressured members of Alpha Omicron Pi to retract their reports in exchange for the return of the taken belongings.*

### **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.*
- *(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 preapproved 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,*
  
- (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.*
  
- (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,*
  
- (10) *Falsification of Information*
  - (A) *Willful falsification of information on University records, to University officials, or to local government officials, '*
  
- (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 preinitiation 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.” The following non-exhaustive list of activities meet this criterion,; accordingly, they are considered forms of hazing:*

- *(K) Peer pressure to engage in activities against the individual’s will,*
  - *(N)Required activities that are prohibited by law or University policy or procedure, such as trespassing, stealing of any item(s), including personal effects or organizational property (banners, composites, food, paddles, etc.); stealing of any item(s) for scavenger hunts; kidnapping; lewd, obscene, threatening, intimidating, or harassing behavior,*
- *(18) Risk Management of Events*
  - *(20) Theft*
    - *(A) Theft of property or services on the University campus or at sponsored events,*
  - *(21) Trespass*
    - *Entering any University facility, except in accordance with established policies and procedures.*
  - *(23) Violation of Student Organization Conduct Procedures and Sanctions including:*
    - *(D) Attempting to discourage another from participating in the student organization discipline matter,*
    - *(E) Attempting to influence the impartiality of any participant in a student organization discipline matter,*
  - *(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:**

- **Suspension of Recognition at San José State University until January 1, 2030.**
  - The student organization, Kappa Sigma Fraternity, is temporarily separated from San José State University for a period of, at minimum, four (4) years. They remain eligible to become a recognized student organization once the suspension has been served.
  - During the suspension period, the student organization, Kappa Sigma Fraternity, is to be inactive on campus.
  - Failure to comply with the conditions of the suspension will be considered noncompliance with this outcome letter. Organizations found to be out of compliance with suspension status will not have their time counted towards

their suspension period. Additionally, failure to comply with the suspension requirements may result in additional time until they are eligible to return to the university. Any attempt to operate as an active organization will affect the timeline for recognition and the eligibility of the chapter to return to campus.

- Noncompliance can include activities such as :
  - Recruiting potential new members during the suspension period
  - Operating under the guise of a different club or organization on campus.
  - Partnering with recognized student organizations.
  - Holding events, meetings, fundraisers, philanthropies, socials, etc.
  - Your Suspension of Recognition will be entered on the Student Involvement website (i.e., "Recognized Student Organization (RSO) Conduct"), with beginning and end dates.\

- **Probationary Period**

- Upon returning to campus, the Fraternity shall operate under a probationary period for no less than one academic year, during which it must:
  - Participate in all University-mandated fraternity and sorority leadership training.
  - Submit semesterly reports on membership, programming, and risk management practices.
  - Host a minimum of two educational programs per semester related to leadership, anti-hazing, or wellness.
  - Maintain a chapter GPA at or above the University's minimum requirement.

- **Monthly Meetings with Student Involvement effective for two (2) semesters following registration as an SJSU Recognized Student Organization (RSO)**

- The organization's president must schedule monthly meetings with the Director of Student Involvement or designee, that will serve as one on one connection points.
- The purpose of these meetings will be to update Student Involvement on the status and overall progress of the organization.
- Submit documentation of participation to Student Conduct and Ethical Development at [studentconduct@sjsu.edu](mailto:studentconduct@sjsu.edu)

- **Regular Conduct History Review Meetings for New Officers for 2 years following registration as an SJSU Recognized Student Organization (RSO).**

- 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, but it does include any officers transitioning to a different role as well as any officers returning to a position in non-consecutive semesters.
- Following the meeting, those in attendance are expected to share the information learned at the next regularly scheduled organizational 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.