



Dean of Students Office

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October 27, 2022

President [REDACTED]
Zeta Beta Tau

[REDACTED]
1701 E 1st St

Tucson, AZ 85719

Dear President [REDACTED]:

The Dean of Students Office (DOS) received an official complaint on September 23, 2022 alleging the involvement of Zeta Beta Tau (ZBT) in violations of the Arizona Board of Regents Student Code of Conduct. Reportedly, on or about September 15, 2022, Zeta Beta Tau allegedly participated in the hazing of new members. The alleged hazing included but was not limited to the forced consumption of alcohol by new members and other behavior that created an environment conducive to endangering University students.

The report prompted University charges and an investigation by the Dean of Students Office into the allegations that Zeta Beta Tau violated the Student Code of Conduct on or about September 15, 2022.

On September 28, 2022, Zeta Beta Tau was issued a notice that the organization was placed on *Interim Loss of Recognition* and that the Dean of Students Office initiated an investigation to address the following potential violations of the Student Code of Conduct.:

Code of Conduct/15. Alcohol - Violation of Board or university rules or applicable laws governing alcohol, including consumption, distribution, unauthorized sale, or possession of alcoholic beverages.

Code of Conduct/19. Hazing - Engaging in, supporting, promoting, or sponsoring hazing or violating Board or University rules governing hazing.

Code of Conduct/2. Endangering / Threat / Cause Harm - Endangering, threatening, or causing physical harm to any member of the university community or to oneself, causing reasonable apprehension of such harm or engaging in conduct or communications that a reasonable person would interpret as a serious expression of intent to harm.

Code of Conduct/4. Other Published Rules - Violation of, or attempt to violate, other rules that may be adopted by Board or by the university.

During the Student Code of Conduct investigation, the Dean of Students Office, in cooperation with Zeta Beta Tau Headquarters, had the opportunity to gather information related to the allegations.

I met with you on September 29, 2022 to discuss the allegations made against the chapter, as well as any questions or concerns you had about the investigative process. I additionally met with other ZBT members on various dates following our meeting.

In summary, the following information was shared by you during our September 29, 2022 meeting:

At the beginning of our meeting, you confirmed that the event held by ZBT on September 15, 2022 was a registered "dry," event. During the event, you were unaware that alcohol was being consumed by members and event attendees. Regarding the provision of alcohol at the event, you stated that ZBT as an organization did not provide alcohol to a new member, and instead, two individual members had provided alcohol to a new member. Additionally, you shared that the two members provided alcohol to one new member only and did not provide alcohol to other members or attendees.

During our conversation, I asked you how ZBT monitors the consumption of alcohol by members and attendees at events. In response, you stated that since the September 15, 2022 event was alcohol-free, you did not ID attendees. You stated that there was a "screw-up," as members at the front gate were required to ensure that alcohol was not taken into the event, and monitors were to roam the house and outside area to ensure that no one possessed alcohol at the house. You stated that the "monitors did not do a good enough job," however, you assumed that the alcohol was at the house before the event started. Furthermore, you shared that you had been informed that the new member had been drinking with other members before the event and that the new member was drinking voluntarily.

As it was reported that the new member was taken into a room by other members after it was discovered that he was intoxicated, I asked you what you knew to have occurred in the room. In response, you stated that when two members discovered that the new member was unwell, they took him into a room to mitigate the concern and to help the new member throw up. The two members also gave the new member water. According to you, there was no attempt made by the two members to call medical services for the new member.

Regarding how the new member left the ZBT house, you shared that a trustee board member had noticed the new member's intoxication and offered to buy an uber for the new member. You shared that an attendee and friend of the new member denied the uber for the new member and walked him home. You shared with me that you assumed that the new member left from the front door, which is typically off-limits to attendees. Additionally, you stated that someone should have called "help," for the new member and found a place for him to stay in the house, rather than letting him leave. While the friend walked the new member home, the new member fell and hit his head.

During our conversation, you shared with me that you were not sure if anyone checked on the new member after he left the house on the evening of September 15, 2022, but knew that someone had

reached out to him the following morning.

As it was initially reported that the new member was told that he would be dropped from the organization if he left the event, I asked you if the new member's membership in ZBT would be affected due to the September 15, 2022 incident. In response, you stated the incident would not affect the new member's membership in the organization.

Concerning the culture surrounding alcohol in ZBT, you shared that the organization encourages sobriety to members, as well as encourages members to be responsible and follow the law. You additionally shared that the organization tries to ensure that members follow the organization's risk management protocol and that new members are not pressured to drink. According to you, drinking hard liquor is strongly discouraged within the organization.

Lastly, you shared with me that the organization plans to do better with its risk management overall, adding that the organization would do a better job of monitoring the hallways, and ensuring that members' rooms were locked to attendees.

Considering the information shared during our September 29, 2022 meeting, Zeta Beta Tau was issued notice on September 30, 2022 that the organization's *Interim Loss of Recognition* had been lifted, and that Zeta Beta Tau was being placed on *Social Activities Suspension*.

On September 30, 2022, following receipt of the notice, you emailed me the following:

Thank you very much for the update and for making sure I received the information by calling me. Moving forward, I will make sure that we do a better job through our risk management process. This will include more roaming, more thorough searches, and more locking of rooms. I also plan to be on the inside more, so I can help wherever need be directly. I will reiterate to my members that if someone is unwell, then 911 should be called immediately.

This was an isolated incident with a few members in one room, and it would pain me to see everyone's family members not be able to see and experience ZBT next weekend for themselves. Parent's weekend is a key weekend for us as this allows us to grow closer with one another and show our families all the positive things the brotherhood of ZBT has to offer.

Throughout the investigative process, it was shared with DOS that an underage new member had access to hard liquor, specifically Tito's Vodka, while attending the registered "dry," event at the Zeta Beta Tau house on September 15, 2022. It was additionally reported that the underage new member consumed hard liquor to the point of intoxication. According to the University of Arizona Alcohol Policy and Regulations, "consumption of alcoholic beverages is permitted on University property only by persons of legal drinking age." Additionally, Arizona Revised Statutes make it unlawful for a person under the age of 21 years to "buy, receive have in possession, or consume spirituous liquor." Therefore, I find Zeta Beta Tau to be in violation of **Code/15. Alcohol**, which prohibits violations of the board or university rules or applicable laws governing alcohol, including consumption, distribution, unauthorized sale, or possession of alcoholic beverages.

In reviewing the information shared with DOS regarding the protocol used by Zeta Beta Tau to monitor alcohol consumption at the September 15, 2022 event, including that members did not follow established Risk Management protocol and the lack of consideration by members to retrieve

medical services for the intoxicated new member, it has been determined that the chapter's regulation of the consumption of alcohol at the September 15, 2022 event was inadequate in preventing and mitigating the risk of harm to initiated and new members, as well as attendees. Additionally, due to their alcohol consumption and intoxication that occurred at the September 15, 2022 event, a new member was injured while attempting to return to their home. Therefore, I find the organization to be in violation of **Code/2. Endangering/Threatening/Cause Harm**

Furthermore, as it was shared with DOS that an underage new member consumed hard liquor to the point of intoxication at the registered "dry," event that occurred on September 15, 2022, it was determined that multiple items from the Fraternity and Sorority Programs (FSP) Social Events Policy were violated during the September 15, 2022 event. The following are specific items that were determined to be violated:

Article I. General Policies:

B. The chapter/organization, members, and guests must comply with all federal, state, county, and local laws. No person under the legal drinking age may possess, consume, provide or be provided alcoholic beverages.

D. Alcoholic beverages must either be: a) Provided and sold on a per-drink basis by a licensed and insured third-party vendor (e.g., restaurant, bar, caterer, etc.); or b) Brought by individual members and guests through a bring your own beverage ("BYOB") system. The presence of alcohol products above 15% alcohol by volume ("ABV") is prohibited on any chapter/organization premises or at any event, except when served by a licensed and insured third-party vendor.

Article III. On-campus Alcohol Free (Dry) Event Policies:

Section 3. Alcohol Free

A. There must be absolutely no alcohol present at the event or on the premises.

Considering the organization's violations of the FSP policies listed above, I find Zeta Beta Tau to be in violation of **Code/4. Other Published Rules.**

In reviewing the information gathered by DOS throughout this investigation, **there is not sufficient to support that a violation of Code/19. Hazing occurred.**

Based on the information gathered in the investigation, and the finding of responsibility for Student Code of Conduct prohibited item numbers **2, 4, and 15**, I have assigned the following sanctions:

OTHER – Organization; Meeting with Zeta Beta Tau House Corporation Board:

Complete by: November 23, 2022

The organization must coordinate with Zeta Beta Tau House Corporation Board to conduct a meeting to ensure that the chapter is operating successfully per Zeta Beta Tau House Corporation Board's guidelines, policies, and procedures. Topics to be discussed include but are not limited to:

- Risk Management Protocol

- Alcohol consumption at social events, including policy regarding the consumption of hard liquor

It is the responsibility of Zeta Beta Tau to provide written documentation to Senior Coordinator Madeline Bray (madelinebray@arizona.edu) and Senior Coordinator Laura Wester (laurawester@arizona.edu) within 48 hours of completion of the meeting summarizing the topics discussed.

OTHER – Organization; BUZZ Presentation

Complete by: November 23, 2022

The organization must coordinate with Spencer Gorin (sgorin@email.arizona.edu) to host a BUZZ presentation in which all current members of Zeta Beta Tau are required to attend, and other UA IFC organizations are encouraged to attend by Zeta Beta Tau. Zeta Beta Tau is responsible for all costs associated with facilitating the presentation.

UNIVERSITY PROBATION – Organization

Start Date: November 10, 2022

End Date: May 3, 2023

The organization is being placed on probation. Probation means that any violation of the prohibited conduct items in the Student Code of Conduct, including failure to comply with these sanctions, will lead to further disciplinary action which could include loss of recognition.

It is the responsibility of Zeta Beta Tau to provide written documentation immediately upon completion of each sanction. You must notify this office of any changes in your address, phone number, or presidential status.

If these items are not completed by the affirmed deadlines, Zeta Beta Tau will be placed on Activities Suspension pending an official disciplinary hearing. Should further disciplinary issues arise including non-completion of the aforementioned action plan items, Zeta Beta Tau could face additional disciplinary sanctions including but not limited to Loss of Recognition.

Considering the information gathered in this investigation, the *Social Activities Suspension* previously imposed upon Zeta Beta Tau has been lifted. Upon receipt of this letter, Zeta Beta Tau may resume social activities.

The Student Disciplinary Procedures do not provide for a formal appeal of this case. If you feel, however, that you have new information or you believe that you have been treated unfairly, submit a written statement to the Dean of Students Office, **within ten (10) business days, November 10, 2022**, of receiving this letter requesting a review of your disciplinary file.

Should you have any questions or comments about the sanctions, please contact me at 520-621-9522 or madelinebray@arizona.edu.

Sincerely,

Madeline Bray

Senior Coordinator for Student Accountability

C:

Marcos Guzman, FSP

Laura Wester, FSP

Molly Bennett, Zeta Beta Tau HQ

Ron Pardo, ZBT House Corporation Board