



Dean of Students Office

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March 15, 2023

President [REDACTED]
Pi Kappa Phi
[REDACTED]

1449 N. Cherry

Tucson, AZ 85719

Dear President [REDACTED]:

The Dean of Students Office (DOS) received an official complaint on February 13, 2023 alleging the involvement of Pi Kappa Phi in violations of the Arizona Board of Regents Student Code of Conduct. On or about February 9, 2023, Pi Kappa Phi violated Fraternity and Sorority Programs (FSP) alcohol policy by having hard alcohol present at an event that was registered as alcohol-free.

The report prompted University charges and an investigation by the Dean of Students Office into the allegations that Pi Kappa Phi violated the Student Code of Conduct on or about February 9, 2023.

On February 14, 2023, Pi Kappa Phi 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/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.

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.

During the Student Code of Conduct investigation, the Dean of Students Office, in cooperation with Pi Kappa Phi Headquarters, had the opportunity to gather information related to the allegations.

I met with you on February 17, 2023 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 the Pi Kappa Phi Risk Manager following our meeting.

In summary, the following information was shared by you during our February 17, 2023 meeting:

At the beginning of our meeting, you confirmed that the event held by Pi Kappa Phi on February 9, 2023 was a registered "dry," event. Due to illness, you did not attend the February 9, 2023 "Swamp" event, and were unaware of hard alcohol being present at the event. According to what you shared with me during our meeting, you were not made aware that hard alcohol was present at the event until you received the February 14, 2023 letter from DOS notifying you of the organization's *Interim Loss of Recognition*.

Furthermore, you stated that you were "more than aware," that it is against Fraternity and Sorority Programs (FSP) policy and the Student Code of Conduct to have hard alcohol present at registered "dry," events on campus. At the time of the February 9, 2023 "Swamp" event, you were unaware that the organization was on University Probation status.

Additionally, you shared with me that you were unsure how alcohol was provided or brought into the "Swamp" event. However, you assumed that the alcohol was brought in before security arrived or had been snuck in past security. According to you, it seemed to be "more of a security problem," that alcohol was present at the event. Regarding the typical protocol used by Pi Kappa Phi to monitor alcohol consumption at events, you shared that the organization's Risk Manager, members of the executive board, and other active members will act as sober monitors. When asked how many monitors were utilized at the February 9, 2023 event, you responded that you were unsure. You also discussed that Pi Kappa Phi was "looking into," issuing wristbands at future events for attendees who are over 21 years old, though you have not had to issue wristbands yet as Pi Kappa Phi has not held registered "wet," events.

Regarding an image shared with you depicting event attendees holding "Black Out Rage Gallons" (BORGs) at the "Swamp" event, you shared that it is not uncommon for members and guests to bring BORGs to Pi Kappa Phi events. When asked to describe the typical ingredients of a BORG, you shared that they often contain hard alcohol.

During our conversation, you shared with me that alcohol is a "problem that the whole campus struggles with." To discuss and prevent the risks associated with alcohol consumption, Pi Kappa Phi hosts a semesterly presentation with their headquarters called the "Ladder of Risk," as well as requires that all members complete an alcohol education course offered by Pi Kappa Phi Headquarters.

Concerning Pi Kappa Phi's future efforts to improve risk management protocols and mitigate concerns associated with alcohol consumption, you shared that the organization will "do better," at hiring security and will hold itself accountable "a lot better," than before.

At the time of our February 17, 2023 meeting, the organization did not have plans to investigate individuals who were suspected of bringing alcohol into the February 9, 2023 event. You shared that, following our meeting, the organization would start looking into suspected individuals.

In the initial report submitted to DOS on February 13, 2023, a picture was included which was taken on February 9, 2023, at 9:23 p.m. during the "Swamp" event. In the photo, a woman is holding a bottle of Tito's vodka, and "Pi Kappa Phi" is visible on a wall in the background. The report also included a picture of multiple Pi Kappa Phi members at the "Swamp" event holding BORGs, "Black Out Rage Gallons", filled with hard alcohol, water, and flavored syrups.

According to the University of Arizona Alcohol Policy and Regulations, "fraternity and sorority members are subject to national, state, and local laws; all University policies; and the Greek alcohol policy, including all GAMMA rules and regulations regarding social event planning." Furthermore, the Fraternity and Sorority Programs (FSP) Social Events Policy states that "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." The Tito's Vodka included in the picture taken at the February 9, 2023 "Swamp" event is 37.5% ABV (alcohol by volume) and was not served by a third-party vendor as the event was "dry." Therefore, I find Pi Kappa Phi 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.

Throughout the investigation, it was shared with me that alcohol was probably snuck past security or brought to the Pi Kappa Phi house before security arrived for the "Swamp" event. While meeting with the Pi Kappa Phi Risk Manager, it was shared that, prior to the February 9, 2023 event, Pi Kappa Phi members had not received educational programming or training regarding risks related to the provision and consumption of alcohol. Considering the information provided, it has been determined that the chapter's regulation of the consumption and provision of alcohol at the February 9, 2023 event was inadequate in preventing and mitigating the risk of harm to members and "Swamp" attendees. Therefore, I find the organization to be in violation of **Code/2. Endangering/Threatening/Cause Harm**

Furthermore, as it was shared with DOS that hard alcohol was present at the "Swamp" event, it has been determined that multiple items from the Fraternity and Sorority Programs (FSP) Social Events Policy were violated during the February 9, 2023 event. The following are specific items that were determined to have been violated:

Article I. General Policies:

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 previously mentioned Fraternity and Sorority Programs (FSP) Social Events Policy, I find Pi Kappa Phi to be in violation of **Code/4. Other Published Rules.**

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 to Pi Kappa Phi:

SOCIAL ACTIVITIES SUSPENSION – Organization

Complete by: April 10, 2023

The organization is being placed on Social Activities Suspension until April 10, 2023. Social Activities Suspension prohibits hosting, attending, participating, and sponsoring on-campus organizational social activities. This includes on-campus social events with or without alcohol. Off-campus social events with third-party vendors are permitted.

OTHER – Organization; Bi-weekly Meetings with Pi Kappa Phi Headquarters

Complete by: May 10, 2024

The organization must coordinate with Pi Kappa Phi Headquarters to conduct bi-weekly meetings to ensure that the chapter is operating successfully per Pi Kappa Phi Headquarters' guidelines, policies, and procedures. Topics to be discussed include but are not limited to:

- Chapter Governance
- Risk Management Protocol
- Social Events policies including FSP, University, and Pi Kappa Phi Headquarters' policies regarding the consumption and provision of alcohol at social events
- Brotherhood
- New Member Education

It is the responsibility of Pi Kappa Phi to provide written documentation to Senior Coordinator Madeline Bray (madelinebray@arizona.edu) and Assistant Director Greer Vinall (greervinall@arizona.edu) within 48 hours of completion of the meeting summarizing the topics discussed.

OTHER – Organization; Social Events Policy Presentation

Complete by: April 10, 2023

The organization must present a presentation to at least 90% of all Pi Kappa Phi members about FSP, University, and Pi Kappa Phi Headquarters' social events policies including all policies

regarding the provision and consumption of alcohol at social events. It is the responsibility of Pi Kappa Phi to provide written documentation, including an attendance sheet, to Senior Coordinator (madelinebray@arizona.edu) and Assistant Director Greer Vinall (greervinall@arizona.edu) within 48 hours of completion of the presentation summarizing the topics discussed. Paperwork for social event registration will not be accepted until this sanction has been completed and documentation has been submitted.

OTHER – Organization; BUZZ Presentation

Complete by: April 10, 2023

The organization must coordinate with Spencer Gorin (sgorin@email.arizona.edu) to host a BUZZ presentation in which at least 90% of all current members of Pi Kappa Phi are required to attend. Pi Kappa Phi is responsible for all costs associated with facilitating the presentation. It is the responsibility of Pi Kappa Phi to provide written documentation, including an attendance sheet, to Senior Coordinator (madelinebray@arizona.edu) and Assistant Director Greer Vinall (greervinall@arizona.edu) within 48 hours of completion of the presentation summarizing the topics discussed. Paperwork for social event registration will not be accepted until this sanction has been completed and documentation has been submitted.

OTHER – Organization; Pi Kappa Phi Headquarters Remedial Action Plan

Complete by: January 10, 2024

The organization must complete the Remedial Action Plan provided by Pi Kappa Phi Headquarters. It is the responsibility of Pi Kappa Phi to provide written documentation to Senior Coordinator (madelinebray@arizona.edu) and Assistant Director Greer Vinall (greervinall@arizona.edu) within 48 hours of completion of the plan summarizing the items completed.

UNIVERSITY PROBATION – Organization

End Date: December 15, 2023

The organization's probation is being extended from May 12, 2023 to December 15, 2023. 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 Pi Kappa Phi 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, Pi Kappa Phi 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, Pi Kappa Phi could face additional disciplinary sanctions including but not limited to Loss of Recognition.

Considering the information gathered in this investigation, the *Interim Loss of Recognition* previously imposed upon Pi Kappa Phi has been lifted. Upon receipt of this letter, Pi Kappa Phi may resume chapter business.

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, March 30, 2023**, 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

Greer Vinall, FSP

Jackie Stelmaszczyk, Pi Kappa Phi HQ

Grant Parker, Pi Kappa Phi HQ