



# Interfraternity Council

MASSACHUSETTS INSTITUTE *of* TECHNOLOGY

## Outcome Letter

November 27<sup>th</sup>, 2023

**From:** Tobe Obochi, IFC Judicial Committee Chair

**To:** Spencer Yoder, Kappa Sigma President

**CC:** Anthony Dominguez, Assistant Dean, FSILGs

James Reed, Assistant Dean, Student Conduct and Community Standards

Liz Jason, Associate Dean, FSILGs

Tessa McLain, Assistant Dean, Student Conduct and Community Standards

Dear Spencer,

This letter is to notify you of the resolution of multiple reports I received from MIT Police regarding a series of incidents that occurred on November 11<sup>th</sup>, 2023, and November 12<sup>th</sup>, 2023. The first report stated that MIT Police responded to a report of a female having a medical emergency. The FSILG Office confirmed with me that the student was under the age of 21 and required a medical transport. The report stated that the student had been drinking at the party. After the student had been transported, the party was shut down. Upon exit, the officer found an underage student holding a solo cup of what was determined to be wine. The Kappa Sigma risk manager had previously told the officer they were following all policies regarding checking IDs and issuing wristbands – the officer wrote in the report that they did not see any wristbands among the event guests exiting the Kappa Sigma house. The second report stated that MIT Police responded to a report of a fight nearby the Kappa Sigma house. Upon arrival, they found a heavily intoxicated male who was said to be at the registered event at Kappa Sigma prior to it being shut down. The FSILG Office confirmed with me that the student was under the age of 21 and required a medical transport. Based on this information, Kappa Sigma may have violated the following policies:

### *MIT Mind and Hand Book*

#### **II (2) (A). Alcohol Policy**

MIT prohibits any persons under the age of 21 from possessing or consuming alcohol. Additionally, MIT prohibits persons from providing, serving, or selling alcohol to any person, except as expressly allowed in Institute policy 9.11.2. Small social gatherings (usually considered to be 25 guests or fewer) at which alcohol is served to individuals over the age of 21 are not considered a violation of this policy.

### *FSILG Social Events Policy*

#### **Management Requirements for Social Events with Alcohol**

##### Guest Management

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Open parties, meaning those with significantly unrestricted access by nonmembers of a fraternity without specific invitation where alcoholic beverages are present, are prohibited.

1. Events with alcohol must have guestlists.
2. All guests must provide photo identification with proof of age and sign the guest list prior to entering the event (see Proof of Age below).
3. No lines or crowds of individuals are permitted outside of the door.

## Proof of Age

Proof of age must be checked at all entrances to an event at all times. Only government-issued ID's may be used to verify proof of age. Those attendees that are 21 years of age or older must wear a wristband at all times.

## *IFC Risk Management Policy*

### **Procedures for Events with Alcohol**

#### II. Admittance

- A. Each entrance and exit to an event must be monitored by at least one non-consuming individual.
- C. Fraternities are responsible for keeping an accurate list of the name and over/under 21 status of all attendees to a party.
- E. Those guests who are of legal age and who wish to drink must show proof of age, and then be fitted with a wristband.
- F. Those that do not show proof of age to drink must have a non-washable mark placed on the same hand that would otherwise have a wristband applied.
- G. All events must be limited to the safe capacity of the event location as described in the FSILG Social Event Policy. An accurate account must be kept as to the number of guests currently in an event; the IFC Risk Manager will provide capacity "clickers" upon request. An accurate count of the number of individuals inside the chapter's house must be presented to IFC Risk Management Consultants his/her inspection.

#### III. Control of Alcohol

- D. Alcohol should not be served to any individual who does not have a proper wristband, whose hand has been marked as an underage guest, or who is not of the age of 21. In addition, no alcohol should be served to an individual who is visibly intoxicated. Party monitors shall monitor the

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event for guests distributing alcohol or for underage guests possessing alcohol, and will deal with such guests accordingly.

G. No hard alcohol can be present at any event.

After reviewing the police report and your response, I have decided to resolve this case administratively. Based on the information provided, I find Kappa Sigma not responsible for any policy violations.

The FSILG Office and I have confirmed that the medical transport in the first report was covered under the Good Samaritan Amnesty Policy, as the transport was called by a member of your chapter, so all potential policy violations previously listed are not applicable. It was determined that the incidents in the second report could not be attributed to Kappa Sigma, and in turn they could not be found responsible.

While Kappa Sigma was found not responsible for any policy violations, I strongly encourage your chapter to make sure you are being responsible with alcohol and guest management at all social events in the future. The FSILG Office has informed me that you have already had a meeting with Anthony Dominguez regarding this incident. Although there will be no disciplinary action from this incident, **the FSILG Office requires that you schedule another 1-on-1 meeting with Anthony Dominguez, Assistant Dean of FSILGs, to discuss this event and help prevent a similar occurrence from happening in the future.**

Sincerely,

**Tobe Obochi**

Judicial Committee Chair, MIT Interfraternity Council