



Interfraternity Council

MASSACHUSETTS INSTITUTE *of* TECHNOLOGY

Outcome Letter
December 14th, 2018

From: Christopher Mutty, IFC Judicial Committee Chair

To: Bret Stepanek, Phi Beta Epsilon President

CC: Liz Jason, Assistant Dean, FSILGs
James Reed, Assistant Dean, Office of Student Conduct

Dear Bret,

This letter serves to inform you of the outcome of an IFC Judicial Committee Hearing on December 12th, 2018. The hearing stemmed from an incident during a social event at Phi Beta Epsilon on November 18th, 2018. Thank you to you and your fraternity members for your attention to the matter at hand. After reviewing the complaint and your response, the Judicial Committee Review Board has found Phi Beta Epsilon responsible for the following violations:

IFC Risk Management Policy

II. Alcohol

- A. Fraternities are responsible for insuring that the possession, sale, use, or consumption of alcoholic beverages, while on chapter premises or during a fraternity event, any situation sponsored or endorsed by the chapter, or in any event an observer would associate with a fraternity, is in compliance with all MIT, local, state, and federal laws, statutes, and regulations.
- G. Fraternities shall not have a tap system or kegs present in their house at any time.

II. Admittance

- 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

VIII. Event Registration

- A. All events must be registered with the IFC according to the rules outlined in the FSILG Social Event Policy.

Based upon all available information, the Review Board determined that Phi Beta Epsilon was more likely than not responsible for violating the policies listed above. In particular, on the night of November 18th, 2018, Phi Beta Epsilon hosted an unregistered social event. Phi Beta Epsilon initially believed the event was registered, but realized midway through the event that it was not

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registered. House leadership stopped letting new guests into the house, but failed to end the event in a timely manner. An MIT police officer arrived at the house, and although Phi Beta Epsilon had been using clickers during the event, the risk manager could not immediately locate the clickers to show to the officer. Upon realizing the event was not registered, the officer instructed Phi Beta Epsilon to shut down the event. Phi Beta Epsilon shut down the event and instructed guests to leave, but left the bar unattended while guests were leaving the house. During the shutdown, an underage student took an unopened beer from behind the bar. As he was walking out of the house, the MITPD officer noticed the beer and verified that the student was 18 years old. This student did not have a wristband, indicating that policies relating to wristbands were followed correctly. There was also an empty keg in the house during the event, which had been drank by brothers earlier in the week.

As a result of this finding, the Review Board has determined the following to be appropriate sanctions for the specific events in question, Phi Beta Epsilon's response to the incident, as well as Phi Beta Epsilon's recent history with the Judicial Committee.

1. Phi Beta Epsilon is prohibited from hosting social events of any kind until February 4th, 2019.
2. Phi Beta Epsilon will be held on social probation for the entirety of the Spring 2019 semester with the following stipulations. Please note that this does not directly impose any loss of rights or privileges on Phi Beta Epsilon during the probationary period.
 - a. Should the IFC Judicial Committee find Phi Beta Epsilon responsible for any subsequent violation to the FSILG Social Events Policy or the IFC Risk Management Policy during the probationary period, Phi Beta Epsilon will lose the right to hold social events of any kind through the end of the Spring 2019 semester. The IFC Judicial Committee reserves the right to impose further sanctions if this clause is triggered.
3. Phi Beta Epsilon must include the chapter president, vice president, risk manager, and social chair as social event hosts on the registration of all chapter social events through the end of the spring 2019 semester.
4. Phi Beta Epsilon must develop a plan for how to quickly and safely shut down an event when a rapid shutdown is required. The plan must be sent to Liz Jason, Assistant Director of FSILG's and Daniel Gonzalez, IFC Judicial Committee Chair, by February 4th, 2019.

These sanctions were assigned to ensure Phi Beta Epsilon makes substantial effort to hold safe social events in the future and prevent similar issues from occurring again. In the past 3 years, Phi Beta Epsilon has had three incidents stemming from unregistered social events. This

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behavior is against MIT policy, and sanctions 1 and 2 were assigned to ensure that Phi Beta Epsilon strives to adhere to MIT policies during social events moving forward. Sanction 3 is in place so that multiple individuals within Phi Beta Epsilon's executive board are aware of the registration status of all social events. Although this is only required through the end of the Spring 2019 semester, I encourage you to have multiple people involved with event registration in future semesters. Lastly, sanction 4 was assigned so that Phi Beta Epsilon will have a concrete plan for how to handle emergency shutdowns of social events. While Phi Beta Epsilon did not serve the underage student alcohol, brothers should not have left the bar unattended during the shutdown.

Please note that failure to comply with this sanction is grounds for additional Judicial Committee action.

This concludes any Judicial Committee action with regard to this incident. You have until December 21st, 2018 if you wish to appeal this decision. Grounds for appeal may be found in Article VII of the IFC Judicial Committee Bylaws. Please feel free to reach out to me with any questions you may have.

Respectfully,

Christopher Muttu
Judicial Committee Chair
MIT Interfraternity Council

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