



Interfraternity Council

MASSACHUSETTS INSTITUTE *of* TECHNOLOGY

Outcome Letter
November 6th, 2018

From: Christopher Mutty, IFC Judicial Committee Chair

To: David Poberejsky, Phi Sigma Kappa President

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

Dear David,

This letter serves to inform you of the outcome of an IFC Judicial Committee hearing from this past Friday, November 2nd, 2018. Thank 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 Sigma Kappa responsible for the following violations:

FSILG Social Event Policy

III. Social Event Gathering Provisions

B. House Events with Alcohol

2. The maximum number of persons that may be present in the FSILG house during an event with alcohol shall be the LESSER of:
 - For FSILGs located in Boston, the residential occupancy (bed count) plus 49, OR
 - The total number of members of the FSILG present at the event PLUS two (2) guests per PartySafe trained member attending the event, OR
 - The maximum occupancy for that specific property as determined by an analysis of the state building code and kept on file with the AILG, OR
 - The maximum number established by the FSILG's Alumni House Corporation, which must specify the limit in writing to the FSILG Office, OR
 - 150 persons.

IV. Management Requirements for House Events with Alcohol

A. Guest Management

1. No lines or crowds of individuals are permitted outside the door

IFC Risk Management Policy



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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.

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

MIT Mind and Handbook

IV (1). Approved Institute Housing

FSILGs shall ensure that their facilities meet or exceed all Institute safety and health requirements as well as all applicable city and state health, safety, and building codes and shall cooperate with the Institute in any health or safety related inspections or surveys. FSILGs with housing facilities shall maintain a current Lodging House and/or Dormitory license as required by their respective municipality and Mass. General Laws, Chapter 140. Copies of all inspection-related documentation must be on file with the AILG/FCI and accessible by the FSILG Office.

The Review Board determine that, based upon the available evidence, Phi Sigma Kappa was more likely than not responsible for the charges listed above. In particular, on the night of October 13th, 2018, Phi Sigma Kappa hosted a registered social event. Boston Police Officers drove past the house and noticed a large crowd gathered outside, prompting them to approach and enter the Phi Sigma Kappa House. Upon entering the house, officers spoke to an underage woman without a wristband in possession of alcohol. Officers also noted that Phi Sigma Kappa's fire inspection was expired. At this point BPD officers shut down the party. MIT Police Officers arrived and observed over 100 people exiting the party. Phi Sigma Kappa's capacity is 101 guests, but house leadership believed that the social event capacity did not include members, causing the party to go above capacity.

As a result, the Review Board has determined the following to be appropriate sanctions for specific events in question and Phi Sigma Kappa's response to the incident. Please note that failure to comply with any of the listed sanctions is grounds for additional Judicial Committee action.

1. Phi Sigma Kappa will be prohibited from hosting social events of any kind for the

77 Massachusetts Avenue · W20-450 · Cambridge, MA 02139 · <http://ifc.mit.edu> · ifc-exec@mit.edu

Alpha Delta Phi · Alpha Epsilon Pi · Beta Phi Chi · Chi Phi · Delta Kappa Epsilon · Delta Psi · Delta Tau Delta · Kappa Sigma ·

Nu Delta · Phi Beta Epsilon · Phi Delta Theta · Phi Kappa Sigma · Phi Kappa Theta · Phi Sigma Kappa ·

Pi Lambda Phi · Sigma Alpha Epsilon · Sigma Chi · Sigma Nu · Sigma Phi Epsilon · Tau Epsilon Phi ·

Theta Chi · Theta Delta Chi · Theta Xi · Zeta Beta Tau · Zeta Psi



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duration of the Fall 2018 semester (ending on December 21st, 2018).

2. Phi Sigma Kappa will be held on social probation from December 22nd, 2018 through March 15th, 2019. Probation is a strong warning from the IFC Judicial Committee, but does not impose any loss of rights or privileges.
3. Phi Sigma Kappa must revise its risk management policy with the following stipulations. The revised policy should be sent to Liz Jason, Assistant Director of FSILGs and Christopher Mutty, IFC Judicial Committee Chairman, by December 2nd, 2018.
 - a. One brother will be assigned to monitor the back door during social events to ensure all guests are accounted for.
 - b. Upon providing a guest with an alcoholic drink, bartenders will mark the guest's hand. Guests with a marked hand will only be allowed to receive a drink if they provide their previous cup to the bartender.

The Review Board assigned these sanctions to ensure that Phi Sigma Kappa learns from the incident and does not have similar issues in the future. The back door party duty will prevent guests from entering parties without being counted. The new alcoholic beverage policy was suggested by Phi Sigma Kappa, and should help prevent guests of legal drinking age from giving drinks to their underage friends.

This concludes any Judicial Committee action with regard to this incident. You have until November 19, 2018 if you wish to appeal this decision. Grounds for appeal may be found in Article VII of the IFC Judicial Committee Bylaws. If you have any questions, please feel free to reach out to me at ifc-judcommchair@mit.edu

Respectfully,

Christopher Mutty
Judicial Committee Chair
MIT Interfraternity Council