

Office of Judicial Programs

Student Affairs

130 Memorial Hall Athens, Georgia 30602-3115 Telephone: (706) 542-1131 FAX (706) 542-8817

Friday, October 22, 2010

Drew Cunningham President, Kappa Sigma Fraternity 160 River Road Athens, GA 30609

Dear Drew,

This letter is a follow up to our conversation on 10/21/2010 regarding the report alleging a potential Conduct Regulation violation that may have occurred. Specifically, that report alleged your and/or Kappa Sigma's involvement in the following violation(s):

- CR.12.1. The University of Georgia does not condone hazing in any form. Hazing is defined as any intentional, negligent or reckless action, activity or situation that causes another pain, embarrassment, ridicule or harassment, regardless of the individual's willingness to participate.
- CR.14.2. Knowingly condoning, encouraging, or requiring behavior that violates University conduct regulations.
- CR.4.1. Use, possession, distribution, or sale of alcoholic beverages except as permitted by law and University policy.
- CR.4.2. Providing or facilitating the use, possession or distribution of alcoholic beverages except as permitted by law and University policy.

The purpose of our meeting was to determine whether or not there was enough information to move forward with judicial charges. After reviewing the complaint and given your refusal to provide any additional information regarding the alleged incident, I did not find sufficient evidence to move forward.

This matter is considered closed. However, a record our meeting and conversation will be kept on file in the Office of Student Conduct. Should you have any questions regarding the content of this letter, please do not hesitate to contact me at 706-542-1131.

Sincerely,

Amanda Patterson

Interim Director for Student Conduct



Office of Judicial Programs

Student Affairs

130 Memorial Hall Athens, Georgia 30602-3115 Telephone: (706) 542-1131 FAX (706) 542-8817

Thursday, October 14, 2010

Drew Cunningham President, Kappa Sigma Fraternity 160 River Road Athens, GA 30609

Dear Drew:

The Office of Student Conduct has received information that you may have been involved in a violation of the University Conduct Regulations as outlined in the Code of Conduct. The complaint, dated 10/8/2010, indicates your alleged participation in the following violation(s):

CR.12.1. The University of Georgia does not condone hazing in any form. Hazing is defined as any intentional, negligent or reckless action, activity or situation that causes another pain, embarrassment, ridicule or harassment, regardless of the individual's willingness to participate.

CR.14.2. Knowingly condoning, encouraging, or requiring behavior that violates University conduct regulations.

CR.4.1. Use, possession, distribution, or sale of alcoholic beverages except as permitted by law and University policy.

CR.4.2. Providing or facilitating the use, possession or distribution of alcoholic beverages except as permitted by law and University policy.

Specifically, it is alleged that Kappa Sigma Fraternity violated published university policies when the organization and/or individual members within the organization hazed new members and/or condoned the hazing of new members. It is further alleged that Kappa Sigma Fraternity violated the code of conduct regarding alcohol.

The University Conduct Regulations can be found in the Student Handbook and in the Code of Conduct. The Code of Conduct is available online at http://www.uga.edu/judicialprograms and it outlines the entire judicial process including students' rights and responsibilities, the University Conduct Regulations, the options available for the resolution of judicial charges, and the appeals process. I encourage you to read the Code of Conduct prior to meeting with me. You may also pick up a hard copy of the Code of Conduct in my office prior to the meeting.

Please call 706-542-1131 Monday through Friday between 9:00AM and 5:00PM to make an appointment to discuss this matter with me no later than 10/22/2010. During this meeting we will review the complaint I received and I will explain the judicial procedures. Failure to schedule this appointment by the requested date will result in your record's being flagged. A flagged record keeps you from adding, dropping, or registering for classes. Your prompt response and cooperation are appreciated.

Sincerely, Amanda Pathuson

Amanda Patterson

Interim Director for Student Conduct

201002004

Amanda B. Patterson

From:

Amanda B. Patterson

Sent:

Thursday, October 14, 2010 5:25 PM

To:

'drew.cunningham1@gmail.com'; Andrew Thomas Cunningham

Subject:

UGA Student Conduct Letter - Kappa Sigma

Attachments:

Kappa Sigma 10.14.pdf

Thursday, October 14, 2010

Drew Cunningham President, Kappa Sigma Fraternity 160 River Road Athens, GA 30609

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Sincerely,

Amanda Patterson
Interim Director for Student Conduct

201002004

- · Career Fair
- · UGA 101
- · No. 1 Party School

You are here: Home - News - Administration - Kappa Sigma suspended by national organization

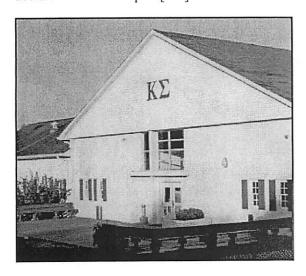
Kappa Sigma suspended by national organization

October 8, 2010 by <u>DANIEL BURNETT</u> Filed under <u>Administration</u>, <u>Featured</u>, <u>Greek Life</u>, <u>News</u>

For the third time this year, a University fraternity has been suspended.

Kappa Sigma fraternity is under investigation by its national organization, but the nature of any allegations leading to the investigation is not being released.

"At the present time the chapter is at a suspension of operations and we are in the process of going through our due process," said Mitch Wilson, executive director of the Kappa Sigma national chapter. "There's been no decision that the chapter [has] lost its charter."



Kappa Sigma's national organization has put the group under investigation. The University is yet to launch an investigation of their own. Photo by AJ REYNOLDS.

Wilson would not reveal details regarding internal investigation, saying only "the chapter is in the middle of their due process hearing," and that more information may not be released until the investigation concludes.

"It's a process that will take some time," he said. "After we complete the membership review, we will determine the status of the chapter."

But on the University side, the organization charged with investigating fraternities when allegations of misconduct arise isn't following suit.

Wes Fugate, adviser to the Interfraternity Council within the Greek Life Office, said Greek students "know enough to not tell me specifics because they know that if I know specifics, I have an obligation to look into those."

The IFC — a self-governing body comprised of Greek students — has the responsibility of investigating complaints in-house to determine if corrective action is necessary.

He said though he is aware of the national charter's suspension and investigation of Kappa Sigma, the IFC is not investigating on its own because there haven't been any student complaints.

"All that we have heard is that they are under investigation for a violation of their code of conduct," he said. "I don't know what to investigate because I don't know the specifics regarding the circumstance."

Fugate said just because the national charter is investigating the fraternity, that doesn't necessarily mean any University code of conduct had been breached.

"It's certainly their prerogative," Fugate said, adding that if misconduct did occur, "I would suspect that it would be a violation of something regarding hazing, perhaps their social policies regarding alcohol and drugs."

Following an investigation, the IFC and Greek Life determine whether any alleged breaches of the University code of conduct are serious enough to be sent on to the Office of Judicial Programs. If they decide not to forward the case to the OJP, any documents pertaining to the investigation are destroyed.

Several attempts to reach OJP officials were unsuccessful Thursday.

Drew Cunningham, grand master of Kappa Sigma, also was unavailable for comment on the investigation.

In March, an anonymous letter allegedly written by a pledge's father was sent to the OJP and Greek Life accusing Pi Kappa Phi of hazing. Because the OJP does not investigate anonymous letters, Greek Life spearheaded the investigation. The chapter admitted some of the information from the letter was accurate, and the case moved to the OJP, which suspended the fraternity until Jan. 1, 2011.

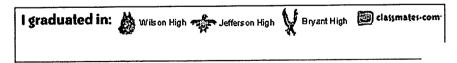
This summer, Pi Kappa Alpha, commonly known as Pike, was issued an action plan, or an agreement between the IFC and a fraternity designed to correct or avoid misconduct. But because the IFC destroys and deletes concerns made to the office — anonymous or not — the concerns leading to Pike's action plan were never made public.

The IFC action plan suspended chapter activities until Aug 1.

It's not certain, however, how long Kappa Sigma will be suspended, or if the IFC will decide to launch an investigation. Until student concerns or additional information prompts the IFC to launch an investigation, the only organization looking into a possible violation is Kappa Sigma themselves. And if the IFC does launch an investigation, the sleuths will be either other Greek students or Fugate and Associate Dean of Greek Life Claudia Shamp, Fugate said.

"It would be my advice to the chapter if they are being investigated, they need to be careful about what they say to anyone," Fugate said, "whether it be myself or the national organization."

Tags: Daniel Burnett, Kapa Sigma



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Wes Fugate

From:

Wes Fugate

Sent:

Monday, October 11, 2010 4:31 PM

To:

'Daniel Burnett'

Subject:

RE: <- This is a student complaint.

Daniel,

Thank you for your recent email. Any additional specific information you can provide, particularly more details about activities that may have occurred, would be important. If you are aware of anyone else who has more specific details, we hope that you will share that information with us so that we may follow up with those individuals as well.

If you hear of additional concerns or become aware of more specific information, please contact us immediately. Thank you for your willingness to share your concerns with the Greek Life Office.

My best,

Wes

Wesley R. Fugate

Advisor to the Interfraternity Council Greek Life Office University of Georgia 153 Tate Student Center Athens, GA 30602-3401 706.542.4612 (office) 706.542.4611 (fax)

From: Daniel Burnett [mailto:dburnett@randb.com]

Sent: Friday, October 08, 2010 1:41 PM

To: Wes Fugate

Subject: <- This is a student complaint.

Mr. Fugate,

I am a university student here at the University of Georgia. I would like to make a formal, written complaint about possible hazing occurring at the Kappa Sigma fraternity house late last month. Because I was not present for the alleged hazing — believe it or not, Greek students don't always invite the editor of The Red & Black to their parties — I cannot tell you the specifics. However, because the IFC is the alleged "watchdog" of fraternities, I believe it's incumbent on you to investigate this matter.

Now you have a complaint by a student in writing.

Daniel Burnett Editor-in-Chief The Red & Black University of Georgia 678.294.6131 (cell)



TO:

David B. Proctor, Grand Scribe, Beta-Lambda, The University of Georgia

Erik S. Bateman, Grand Treasurer

FROM:

Mitchell B. Wilson, Executive Director

DATE:

October 6, 2010

RE:

Membership Review to be Conducted at the Beta-Lambda Chapter at The

University of Georgia

Dear Brothers:

On behalf of the Supreme Executive Committee of Kappa Sigma Fraternity, I would like to thank those Brothers from the Beta-Lambda Chapter at The University of Georgia who travelled to Charlotte, North Carolina on October 2, 2010 for the purpose of showing cause as to why the Beta-Lambda Chapter of Kappa Sigma Fraternity should remain a Chapter of Kappa Sigma Fraternity. After hearing the Chapter's presentation and after reviewing the facts associated with the alleged violations of the Code of Conduct for both alcohol and hazing violations, the Supreme Executive Committee has determined that the following action will take place concerning this Chapter:

- 1) The operations of the Beta-Lambda will remain suspended until a review of the Chapter's membership and Chapter's operations can occur.
- 2) Past Worthy Grand Master Donal L. McClamroch, Jr. and Past Worthy Grand Master Kevin S. Kaplan will conduct a review of the Chapter's membership and operations.
- 3) Seventy-five (75) alumni Brothers must meet with Past Worthy Grand Master Kevin S. Kaplan and Past Worthy Grand Master Donal L. McClamroch, Jr. for the purpose of a Code of Conduct session and also a session concerning the importance of the alumni involvement that will be necessary in order to rehabilitate the Chapter's operations.
- 4) The Beta-Lambda Chapter will pay a deposit of \$7,500 for the purpose of covering all expenses associated with travel and lodging associated with the membership review.

Should you have questions concerning this determination by the Supreme Executive Committee, please do not hesitate to contact me. The Brothers of Beta-Lambda Chapter should provide the Fraternity with specific dates that would be best for the membership review to take place.

October 6, 2010 Page 2

By copy of this letter, I am notifying Brothers McClamroch and Kaplan of this decision. The Brothers of the Beta-Lambda Chapter should give these Brothers their full support and cooperation during the course of this review.

MBW:ksm

CC:

Supreme Executive Committee

Chris A. Cooley, Legal Commissioner

James H.S. Levine, Deputy Legal Commissioner for Conduct & Standards

Donal L. McClamroch, Jr., Past Worthy Grand Master

Kevin S. Kaplan, Past Worthy Grand Master

Stephen L. Coxen, District Grand Master-Central Georgia

Torrey S. Wiley, Assistant District Grand Master-Champion Quest

Gray Reese III, Assistant District Grand Master-Volunteer Recruitment & Development

Carl A. Blount IV, Alumnus Advisor

George P. Cunningham IV, Assistant Alumnus Advisor/GP

Nicholas S. Campbell, Assistant Alumnus Advisor/GMC

Jeffrey M. Bicksler, Assistant Alumnus Advisor/GS

Michael L. Malone, Assistant Alumnus Advisor/GT

James D. Peters, House Corporation

Kappa Sigma Directors



TO:

David B. Proctor, Grand Scribe, Beta-Lambda, The University of Georgia

Erik S. Bateman, Grand Treasurer

FROM:

Mitchell B. Wilson, Executive Director

DATE:

October 14, 2010

RE:

Membership Review

Dear Brothers:

I am writing this letter on behalf of the Supreme Executive Committee of Kappa Sigma Fraternity to inform you that the Supreme Executive Committee has scheduled a membership review for the Beta-Lambda Chapter on the dates of November 12 and 13, 2010. Details concerning the schedule for the membership review will be sent to you from Director of Undergraduate Operations Christopher P. Kontalonis who is organizing the logistics for the review. I am sending this letter to inform all initiates of the Beta-Lambda Chapter to clear their schedules to assure that they are present for the membership review weekend.

Any Brother who fails to attend the membership review will be charged with expulsion. The charge will be for failure to comply with the directive of the Supreme Executive Committee for the membership review. If a Brother has an emergency that occurs with his family or in association with his standing as a student, please let us know so that appropriate arrangements can be made concerning those individuals. Otherwise, all Brothers will be expected to be in attendance.

The membership review will be conducted under the leadership of Past Worthy Grand Master Kevin S. Kaplan and Past Worthy Grand Master Donal L. McClamroch, Jr. The Brothers of Beta-Lambda Chapter are to give these Brothers their full and undivided attention during the course of the membership review process. The membership review process will consist of group and individual meetings and a specific schedule will be announced in the near future. For the time being, your main responsibility is to assure that all Brothers are present and have cleared their schedules for that weekend.

Miles IST

Should you have questions concerning this matter, please do not hesitate to contact me.

MBW:ksm

cc: Supreme Executive Committee

Chris A. Cooley, Legal Commissioner

James H.S. Levine, Deputy Legal Commissioner for Conduct & Standards

Donal L. McClamroch, Jr., Past Worthy Grand Master

Kevin S. Kaplan, Past Worthy Grand Master

Stephen L. Coxen, District Grand Master-Central Georgia

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James D. Peters, House Corporation

Kappa Sigma Directors

Mitchell B. Wilson ● Executive Director

PO Box 5066 • Charlottesville, Virginia 22905-5066 • Office: 434/295-3193 • Fax: 434/296-9557 • mic@hq.kappasigma.org

10/21
Met w/Drew Conningham
- N Org. - inv. matters. Not going to comment
further

Refused to give me any additinfo.

info.

i. No info. re: when/where/whom

No action letter sent/emailed