



Associate Vice President &  
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January 11, 2010

## MUTUAL AGREEMENT

Marcus Nielsen  
Student Representative  
Sigma Phi Epsilon, Florida Xi Chapter  
Florida Atlantic University  
Boca Raton, Florida 33431

Dear Mr. Nielsen:

A Disciplinary Conference was held on January 11, 2010 to review the charges brought against the Florida Xi Chapter of Sigma Phi Epsilon (the "chapter") at Florida Atlantic University (FAU) alleging that the chapter's conduct violated the Florida Atlantic University Student Code of Conduct, University Regulation 4.007. We made a mutual agreement that the chapter consents to fulfill the following conditions:

1. **Suspension:** The chapter is suspended from all University activity for a period of one (1) year from the date of this agreement. Suspension is defined as the automatic loss of University recognition, including the loss of all rights and privileges associated with recognition at the University. In addition, suspension prohibits the chapter's participation in all Greek Councils and University activities and prohibits the use of University facilities. Under suspension, the chapter may not recruit or offer membership invitations to any FAU students or conduct any other activities related to the chapter.

**Membership Review Plan:** The chapter hereby acknowledges and agrees that the Sigma Phi Epsilon Fraternity National Office will create an Alumni Advisory Council ("the Council") to conduct a full membership review of the chapter. The chapter further agrees that it will implement and abide by the membership findings and conclusions of the Council. Either from January 25, 2010 to February 26, 2010 (Option 1), or October 15, 2010 to November 19, 2010 (Option 2), the Council may hold weekly meetings for the sole purpose of conducting membership review for the chapter. All University facility reservations must be made through the Office of Greek Life and must be approved by the Dean of Students Office. Once the membership review is completed, the Council will submit a report to the FAU Dean of Students Office describing its membership findings and containing a membership roster for the chapter. This report will be due on February 26, 2010 or November 19, 2010, depending on which option was chosen for the Council's weekly meetings.

2. **Disciplinary Probation:** Following the end of the suspension period, the chapter will be placed on probation for a period of two (2) years. During the probationary period, the chapter will have its University recognition restored, including all rights and privileges granted to other Greek organizations in good standing at FAU.

**Chapter Reorganization Plan:** The chapter hereby acknowledges and agrees that the Council will conduct a full reorganization of the chapter. The chapter further agrees that it will implement and abide by the recommendations, requirements, and benchmarks

established by the Council relating to the chapter's reorganization. Upon commencement of the probationary period, the Council may hold weekly meetings for the sole purpose of creating a chapter reorganization plan. All University facility reservations must be made through the Office of Greek Life and must be approved by the Dean of Students Office. Once the chapter reorganization plan is completed, the Council will submit a report to the FAU Dean of Students Office describing the recommendations, requirements and benchmarks imposed on the chapter under its reorganization plan. This report will be due one (1) month after the probationary period has commenced.

**Monthly Meeting/Reports.** After receipt by FAU of the Council's chapter reorganization report, the executive officers of the chapter must meet with the Dean of Students Office on a monthly basis to review the chapter's progress in implementing the recommendations, requirements and benchmarks outlined in the Council's membership review report and chapter reorganization report. Such monthly meetings will continue throughout the probationary period in the discretion of the Dean of Students Office.

If the Dean of Students Office makes the determination, at any time during the suspension or probationary period, that the chapter is not complying with the recommendations of the Council's reports, or if the chapter is found "responsible" for another violation of the Student Code of Conduct, then the University may increase the severity of any subsequent sanctions.

If this mutual agreement has not been signed by each party below and returned to the Dean of Students Office by **January 15, 2010**, then proceedings for violating the Student Code of Conduct will proceed accordingly. By signing below, you agree that upon satisfaction of the conditions imposed above, the disciplinary proceedings related hereto will end, no further hearings or process will occur, and any rights to appeal are waived.

Sincerely,

Conditions mutually agreed upon by:



Terry C. Mena  
Associate Dean of Students



Marcus Nielsen  
Student Representative  
Sigma Phi Epsilon, Florida Xi Chapter

Cc:/file  
O'Rourke, Ryan, Greek Life Coordinator