



**MARCH 7, 2015, INCIDENT
FINAL REPORT**

Introduction

Over the last few years, Cal Poly students¹ have celebrated St. Patrick's Day on a large scale. This St. Patrick's Day celebration, also known by students as *St. Fratty's Day*, has been held on or before St. Patrick's Day. A former Cal Poly student, who was part of a Greek organization and lived at the "Pink House" residence located on 348 Hathaway Avenue, created this event approximately six years ago. Others living in the residence have continued to keep the event alive as a tradition. The number of students and others attending has consistently increased over time. In recent years, the City of San Luis Obispo has taken actions to address large and unruly gatherings by increasing fines and patrols for high student traffic locations.

As is common practice, Dean of Students Jean DeCosta sent an e-mail to all Cal Poly students on Wednesday, March 4, 2015, with a message of student safety for Spring Break activities and end-of-quarter celebrations, including St. Patrick's Day (Appendix A). The message also included reminders that double fines for certain municipal code violations would be going into effect – a practice implemented by the City of San Luis Obispo to address the problems associated with large and unruly gatherings in the neighborhoods, such as *St. Fratty's Day* celebrations in the past.

On Thursday morning, March 5, 2015, Cal Poly's Greek Life Office met with a fraternity president regarding an email warning of a pending social gathering that would occur the weekend of March 7, 2015. The fraternity president also indicated that he had sent an e-mail to his chapter to not attend any social gatherings during the upcoming weekend. He wanted the university to know that he was not participating and would be out of town. All Greek chapters were on "social probation" during this time and were not permitted to have chapter-related social events. The Greek Life Office requested a copy of that e-mail from the fraternity president, which was received and sent to the Greek Life Office and the Dean of Students.

Later that day, the Dean of Students Office spoke with the University Police Department regarding the status of Greek social probation and the alleged social gathering that might potentially occur on the weekend of March 7–8, 2015. In response, University Police contacted the SLO Police Department with this information to coordinate staffing, review information, and to collaborate on how to best prepare for the weekend. No one anticipated that the social gathering would begin on Saturday morning, March 7, at 4:30AM. The e-mail information received from the fraternity president did not contain that information.

¹ The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records. The university must have written permission from a student in order to release any information from that student's education record. Therefore, we will not include in this report any identifying information about specific students.

Incident Overview

Early on Saturday, March 7, 2015, at approximately 6:30AM, the Dean of Students and other university officials received information from San Luis Obispo and University Police that a roof had collapsed and that there were a large number of students gathered at or around 348 Hathaway Avenue, also known as the “Pink House.”

Dean of Students Jean DeCosta went down to Hathaway Avenue immediately to conduct interviews with students to determine how the roof collapsed, to gather any other relevant information, and to provide university support to Cal Poly students.

During the course of several interviews, Dean DeCosta learned that residents of the Pink House invited 20 to 30 people over for a social gathering that was to begin around 6:30AM. The residents told Dean DeCosta that they were having a social gathering to keep up with a long-standing tradition involving their residence, and that the gathering was a Bring Your Own Alcohol (BYOB) party. The residents stated that they called 911 at 6:00AM, just prior to the roof collapsing, because they realized that the gathering had gotten too big and was beyond their control. Dean DeCosta also learned that a resident next door (where the roof collapsed) was told by his landlord that the residents were not to participate in any social gathering as the landlord had heard rumors on Friday night that something big was going to happen over the weekend. The resident reported that he complied, waking up the next morning to large numbers of people in his yard and on his roof.

Around 7:30AM, representatives from the Dean of Students office (the Dean and two Assistant Deans) came into the office to field phone calls from parents and other concerned parties as well as to determine who was hurt during the roof collapse. Dean DeCosta then visited a local hospital where the injured students were taken to ensure they received support. The two Assistant Deans of Students remained on campus to field phone calls until approximately 2:00PM.

University Preliminary Investigation Process

On Monday, March 9, 2015, the Dean of Students department through the Office of Student Rights and Responsibilities (OSRR) made a plan to address the situation.

OSRR sent an e-mail Wednesday, March 11 at 8:48PM to approximately 90 students requesting help on gathering information concerning the events of Saturday, March 7, 2015 (Appendix B).

The students were identified by police, faculty, and staff as students who may have direct knowledge of the events that occurred and led up to the roof collapse. Students were identified by the following:

- Received a citation from police;
- Posted something about the event on social media (e.g., Twitter, Instagram, Facebook);
or
- Lived in one of the houses near the event.

On Thursday, March 12, 2015, a number of administrators interviewed over 60 students in the evening.

Over the course of the week of March 16, 2015, OSRR identified another 25 students who may have had direct knowledge of the events leading up to and including the roof collapse.

Although students were informed in the notification letter that they must attend the meeting or face possible judicial action on the part of the university, students were told when they arrived that their participation was optional. All students responded to written questions with varying degrees of knowledge relevant to the incident.

The interviews lasted from ten minutes to one hour per student, depending on his or her knowledge.

Preliminary Investigation Findings

On Monday, March 23, 2015, OSRR submitted a preliminary report to the Dean of Students, with recommendations for next steps. Key points in that report are as follows:

- In response to the anticipated increased fines, students living in the Pink House moved their *St. Fratty's Day* celebration before St. Patrick's Day and before Finals week.
- Many students suggested that social media applications such as Twitter, Yik Yak, Instagram, and Snapchat contributed to the large gathering. Two days before the incident students posted items about "throw back Thursday" with pictures of last year's event. Students reported that there was no centralized forum for disseminating information about the event – some students knew when/where up to two weeks in advance, others heard the night before.
- Many students went to Hathaway with no expectation of alcohol being provided, but 40% of the interviewed students stated that there was alcohol at the event, brought by individuals. Most students intentionally became intoxicated prior to the event because there was no expectation of alcohol being provided at the event.

- Many students participated in the activity known as Brewfing (drinking on a roof). This is a recent social phenomenon that Cal Poly students engage in as part of the party culture.
- Interviewed students reported that, based on their estimation, approximately 65% of the attendees were Cal Poly students. Students estimated that the rest of the attendees were either Cuesta College students or students from other institutions.
- Interviewed students reported that many Greek members attended the event based on Greek letters being worn by individuals, social media messaging from known Greek members, and the volume of Greeks living in the residence halls who traveled to Hathaway. No evidence supports that the Greeks officially promoted or marketed the event; however, first-year Greek life members from the residence halls likely used word-of-mouth and social media to promote attending the event.
- One student reported that more than half of residence hall students gathered and walked down to Hathaway together.
- Members of the Pink House knew that the event was going out of control and tried to mitigate the damage by calling 911 and posting messages on social media to not come to the residence.
- It was reported by students that there were a number of simultaneous house parties occurring in the residences near 348 Hathaway, which contributed to the large number of students in the central location.
- They estimated that “every other house” was having a party.
- The general feeling from students was that the further into the crowd students got, the more “unsafe” and “out of control” it felt – students on the periphery stated that it was “boring” and “hard to move around” because people were just standing around with no specific agenda or plan.
- The majority of students stated that they did not have “fun” at the event – they simply attended because it was tradition.

Further Investigation

To delve deeper into the facts surrounding the incident, the university decided to hire an external investigator to conduct further investigatory interviews with a select number of students who were identified through the preliminary interview process as having direct knowledge of the events leading up to the social gathering. On Wednesday, March 25, 2015, university administration met to identify potential external investigators. On Friday, April 24,

2015, the university hired an external investigator, Mr. Ralph Latino. Mr. Latino has had extensive experience as an administrator in the CSU system. In addition, he has served in an interim role directing the Office of Student Rights and Responsibilities at Cal Poly. From April 27–29, 2015, the external investigator conducted interviews with students identified from the preliminary investigation.

Findings

On Thursday, April 30, 2015, the external investigator provided his findings to OSRR for review. The key findings confirmed earlier information. The facts were as follows:

- Students indicated that the marketing for the party was via text/word-of-mouth and that they couldn't identify specific individuals or organizations that were hosting/organizing/marketing the event.
- The interviewed students reported that they collaborated to determine a specific date for the event, specifically to avoid double fines.
- Because many social media platforms are public and anonymous, as soon as there was enough "word of mouth," and it was confirmed that the event was occurring on Saturday, March 7, 2015, many social media outlets "went viral" with information and ideas on what to do to celebrate the event (pre-game) and where to attend the event (Hathaway).
- Many students engaged in pre-gaming. Pre-gaming means to drink alcohol prior to attending a social gathering, usually with close friends, with the intent to become intoxicated.
- Students reported that this event as a "tradition" had an influence on how the event rose to the level of involving thousands of students.
- While some members of Greek organizations helped rally groups of Greeks and non-Greeks, from the residence halls, surrounding areas, and so forth, there is no evidence that a specific Greek affiliated chapter or Greek leadership played a role in facilitating the event and the gathering.
- Sitting, standing on, and hanging out on roofs (Brewfing) has been a frequent occurrence for the last few years. Very few students realized that there was any danger because it is such a common practice.

Conclusions

In an era where social messaging platforms are students' main form of communication with each other and the outside world, we have further realized the challenges of monitoring the multitude of platforms that students use to disseminate information. Social Media platforms can make a topic "trending" or "viral," meaning that a large number of students will learn a very specific piece of information very quickly, thereby potentially instigating large crowds of students to, for example, attend a social gathering. Therefore, we will research, collaborate across CSU campuses and others, and identify ways to use this platform to help better inform when events are being planned.

Initial action plans include the following:

- Consider establishing a calendar for "traditional" and "common" student social events, with locations, dates, and who traditionally participates in those events. Disseminate this information to potentially impacted parties (both Cal Poly and community) for preventative purposes to help to plan and prepare accordingly. Use the calendar to contact and meet with individuals/groups that have historically planned the events, and educate the students on good risk management practices, potential harm should an event exceed safety and well-being, and keeping the event in compliance with City codes and university policies. In addition, use student judicial code to hold students accountable should a violation occur.
- Consider developing stronger social media campaigns, discouraging students from attending and contributing to potentially unruly social gatherings, and educating students on the potential impact of these choices on their student status at Cal Poly. Develop and deliver media campaigns that particularly target freshmen students, intrigued by past events, to educate, inform, and discourage attendance. Involve ASI Student Government in assisting with messaging and outreach to students.
- Meet with key stakeholders to explore developing more on-campus venues to encourage students to remain on campus during key celebration times.
- Review establishing a team of staff and students designed to address off-campus events/parties. The team should be nimble and easy to bring together to review known information, have contacts in the student population that could help with gathering facts, and outreach quickly and easily to others who could be helpful in adding or confirming information. This team should advise campus leaders on strategies for immediately addressing a concern.
- Partner with students to develop a community service campaign that will be completed by Fall Quarter 2015, aimed towards incoming students. The campaign will be, in part, created by students who were found responsible for the organization and dissemination of information that led to this event, and include guidance from Cal Poly staff and faculty. The purpose of this campaign is to address first-year students and the

importance of good citizenship, why one should avoid large social gatherings, what it means to be a “Mustang,” and the steps the university will take when a student violates the Standards for Student Conduct.

- Students attempting to hold an annual event outside the “period of increased fines” for city code violations are contributing to a lack of preparedness and early response. Therefore, collaborating with the City of San Luis Obispo and Student-Community Liaison Committee (SCLC) to explore strategies and ideas designed to address this issue is recommended.

Outcomes

On Monday, May 4, 2015, OSRR charged students with violating the Standards for Student Conduct. FERPA prevents the university from providing information that could identify a student who went through a disciplinary process, and in this case, identifying how many students were charged may unmask the identities of those students.

By Thursday, May 14, 2015, the students charged all agreed to sanctions via a Settlement Agreement. The students who were determined to have organized and disseminated information leading to the event were held responsible for their actions through the student conduct process², including both punitive and educational sanctions with the ultimate goal of preventing a situation like the one that occurred on Saturday, March 7, 2015, from ever occurring again.

No single Greek chapter organized the event; however, many Greek members disseminated information regarding the event logistics and participated.

To the best of our knowledge, the students who were residing in the Pink House on 348 Hathaway were not given the opportunity to renew their lease for the 2015-2016 school year.

See the above suggestions for further training and outreach.

² FERPA prevents the university from providing what sanctions students agreed to without express written permission from those students.

Appendix A

From: "Dean of Students" <deanofstudents@calpoly.edu>

To: cpstudents@calpoly.edu

Sent: Wednesday, March 4, 2015 11:08:33 AM

Subject: St. Patrick's Day

Dear Cal Poly Student:

In the next few weeks you will have the opportunity to recognize St. Patrick's Day, Cesar Chavez Day, and the successful completion of the quarter. If you choose to celebrate, please be mindful of the choices you make and, most important, to take care of each other. For Greek chapters, once social probation has been lifted remember to successfully register your event with the Greek life office. Whether you participate in activities on and off campus this weekend or over the spring break, please take precautions to ensure your safety and the safety of others.

- * Don't go out alone; travel with someone you trust.
- * If you go out, go with a group of friends, check in with each other often, and make sure to leave together.
- * If you're of legal age, limit alcohol and make good decisions.
- * Avoid risky situations; it's always safest to stay sober.
- * Never place your safety in the hands of a person under the influence, including yourself.
- * If someone becomes sick and needs emergency room help, please, please, please dial 911 for advice and assistance. Please note that the emergency room is a safe zone. You will not get in trouble helping a friend get to the emergency room.

I also want to remind you to be aware of the consequences you might face for inappropriate and/or illegal behavior. Violation of campus policies or criminal laws regarding alcohol may result in severe academic sanctions or a permanent criminal record. The campus police and San Luis Obispo City Police are stepping up patrols with larger deployment of officers and increase in fines for the weekend. It is important for me to let you know that the Social Host Ordinance will be strictly enforced in the City of San Luis Obispo; that includes severe sanctions and double fines starting at \$700.

- * If you host a party or gathering, you are responsible for making sure no one under the age of 21 possesses or consumes alcohol.
- * If anyone under 21 is drinking at your party, you could be held criminally liable: 1st offense is \$2,000.
- * Keep your social gatherings small and in control.
- * Be aware and respectful of your neighbors.

Appendix A

If you go downtown, I ask that you please remember you are always a Mustang. How you behave on and off campus reflects not only on you, but also on the University. Cal Poly has a great reputation. As citizens of this campus and of the community, I ask that you help us keep our reputation strong.

Finally, it is all of our responsibility to protect the safety of one another. If you see someone that needs help, please call the University police or the SLO City police by dialing 911.

Sincerely,
Jean DeCosta, Ph.D.
Dean of Students

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Jean

Jean DeCosta, PhD

Dean of Students

Building UU 217

(805)756-0327

Appendix B

From: "Office of Student Rights and Responsibilities" <osrr@calpoly.edu>
Sent: Wednesday, March 11, 2015 8:48:30 PM
Subject: Required Informational Meeting Notice (URGENT)

Dear student:

We need your help. We are trying to understand the events that led up to a "St. Fratty's Day" Party, which was held on Saturday, March 7, 2015 starting at 4:30 AM on Hathaway Avenue. We have scheduled some time to meet with you tomorrow, Thursday March 12, 2015 at 5:00 PM in Chumash Auditorium. We will provide food and beverages for this meeting because it's during normal dining hours.

The goal of this meeting is to collect as much information as we can regarding the March 7, 2015 event. Please come prepared to be open and helpful. You are REQUIRED to attend this meeting, but the meeting is not punitive; it is focused on gathering information and learning facts.

You have the right to bring an adviser to this meeting. We know that this is close to final's week, so we will try to make every accommodation that we can to ensure that you have an interview during a time that meets your schedule. If you do have a conflicting appointment, please contact my office at 805-756-2794 immediately (during normal business hours) so that we can arrange another time to meet, or so that we can arrange a better time for you during our scheduled meeting.

We cannot stress enough the importance of being open and honest, and any information that you provide will be greatly appreciated.

Sincerely,

Duane P. Rohrbacher, Jr., JD, PhD
Assistant Dean of Students
Student Rights & Responsibilities
Building 52 - E7