



# BOARD *of* GOVERNORS

## State University System of Florida

### **Preliminary Report of Investigation: OIGC Complaint No. 2011-038**

Derry Harper, Inspector General  
January 16, 2013

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# Preliminary Report of Investigation

## Introduction:

- Board of Governors Chair directed the Chancellor to initiate an investigation of Florida A&M University's anti-hazing program. The investigation focused on three issues:
  - Did FAMU, from 2007-2011, have in place an effective anti-hazing program designed to prevent, detect, deter and discipline students engaged in hazing activities that included effective institutional and internal controls?
  - Did FAMU staff, from January 2010 to December 2011, fail to adequately address complaints of hazing, including investigating, and when appropriate, imposing appropriate discipline on students?



# Preliminary Report of Investigation

## Introduction (con't):

- Did FAMU senior administrative staff fail to respond to hazing complaints reported by the former Director of Bands on or about November 8, 2011; and if so, does that demonstrate a reckless indifference or disregard for applicable law or regulations?



# Preliminary Report of Investigation

## Findings:

- FAMU failed to implement an anti-hazing program that complied with Board of Governors regulations, University regulations or applicable state law due to a lack of effective institutional and internal controls designed to prevent, detect, deter, and discipline students involved in hazing.



# Preliminary Report of Investigation

## Findings (con't):

- Institutional Controls – There was no internal or programmatic review of the interaction between law enforcement and student affairs.
- Internal Controls – The 1998 FAMU Division of Bands Directive has not been reviewed or updated to enhance or improve Band operations. The University should immediately begin the process of revising the 1998 Directive to clearly establish procedures for verifying student enrollment and eligibility.



# Preliminary Report of Investigation

## **The Director of Bands alleged:**

- That FAMU senior administrative staff failed to respond to incidents of hazing reported to them on or about November 8, 2011 by the former Director of Bands. If true, did such failure demonstrate a reckless indifference or disregard of applicable state law, Board of Governors or University regulations?
- The OIG investigation determined this allegation was unsubstantiated.



# Preliminary Report of Investigation

## Key Dates:

- November 19, 2011 – Criminal investigation initiated after death of FAMU student, Robert Champion
- November 29, 2011 – Board of Governors Chair announces administrative investigation by Board's Inspector General
- December 8, 2011 – FDLE requests the OIG not interview witnesses until the criminal investigation is concluded
- December 14, 2011 – FDLE initiates investigation of Band's finances
- OIG Requests for Information - January 20, February 27, March 19, April 5, and October 19, 2012



# Preliminary Report of Investigation

## Key Dates (con't):

- May 2, 2012 – Criminal investigation results in indictment of 11 individuals for felony hazing
- OIG holds Interviews – July 9-10; July 12; July 27; August 15-16; October 23-26; and November 16, 2012
- September 12, 2012 – FDLE releases Investigative Summary of Band finances
- December 28, 2012 – Board of Governors OIG releases Preliminary Report of Investigation
- January 23, 2013 – FAMU's written response due





# Preliminary Report of Investigation

## Scope and Methodology:

- The Office of Inspector General (OIG) Investigative Team was comprised of personnel from three state agency offices of inspector general.
- The Team assessed the effectiveness of institutional and internal controls established by the University in compliance with Board of Governors and University regulations, as well as state law.
- The Team investigated the allegation by the former Director of Bands.
- Investigative activity was initially limited to document review (January through June 2012), in accordance with FDLE protocol, to avoid interference with criminal investigation of Mr. Champion's death and of the Band's finances.



# Preliminary Report of Investigation

## Scope and Methodology (con't.):

- The Investigative Team:
  - reviewed and analyzed all reported cases of hazing received by FAMU from 2007 to 2011;
  - conducted interviews of 35 current or former University employees;
  - reviewed approximately 7,000 pages of documents received from the University in response to Requests for Information and on-site inspections;
  - “tested” the program in place as reflected in the case studies; and
  - conducted its review in accordance with the Association of Inspector General Standards.



# Preliminary Report of Investigation

## Recommendations:

- The University should immediately revise the 1998 Directive document and establish procedures for verifying student enrollment and eligibility. In addition, the University should add a Grade Point Average minimum.
- The FAMU Band Director should develop a central database or file index system to organize and track each complaint or allegation of a Student Code of Conduct violation. Furthermore, an adequate filing system to monitor the status of Band members who are suspended needs to be implemented.



# Preliminary Report of Investigation

## **Recommendations (con't):**

- The Office of Student Affairs should strengthen the Student Code of Conduct to incorporate language that explicitly states the University reserves the right to proceed under the Student Code of Conduct prior to, concurrent with or subsequent to any other criminal or civil proceeding.
- The University should increase staff in the Office of Judicial Affairs and provide training designed to enhance the performance of their duties and responsibilities.



# Preliminary Report of Investigation

## **Corrective Actions since November 2011, among others, reported by FAMU:**

- The University Board of Trustees revised its anti-hazing policy to include a non-retaliation component and a requirement for more timely reporting of suspected hazing incidents.
- FAMU's new, robust anti-hazing plan includes an official anti-hazing website where students can report incidents of hazing.
- The University approved the hiring of a new special assistant to the president on hazing and a new compliance officer for the Department of Music; and augmentation of the staff in the Office of Judicial Affairs.



# Preliminary Report of Investigation

## **Corrective Actions since November 2011, among others, reported by FAMU (con't):**

- The University implemented new membership intake procedures that require “recertification” of student organizations. Additionally, the University now requires students to sign an anti-hazing pledge.



# Preliminary Report of Investigation

# Questions?



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