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Alpha Epsilon Pi

DEVELOPING LEADERSHIP
for the JEWISH COMMUNITY

Dear Brother {%%LastName%%},

If you are planning to live in the Phi Gamma house, please forward this email to your parents. It is critical to tell you, first and foremost, that AEPi continues to work diligently with your best interests in mind. We believe strongly in the fraternal experience, inclusive of communal housing, and we believe strongly that you as individuals and as a chapter are being categorically misrepresented and unfairly punished by the University of Florida. We know you from our visits, from our events, and from our interactions and we believe that our Brothers are good men that seek to do good within their community. Our Brothers at UF have done a fabulous job over the last few years to institute reforms and policies within the chapter despite operating in a university environment where the student culture of misbehavior is rampant.

The university has acknowledged that students may associate freely off campus and may join organizations which operate without university recognition or guidance. This makes it clear that the actions of the university are designed solely to distance them from potential liability rather than engaging in education and the hard work of improving their campus climate. AEPi has fought for our students to have the opportunity to learn and to improve themselves and their community. This seems to be the basis of this disagreement, which has manifested itself in threats to their own students from their university.

The university has placed you in a difficult position by issuing a directive to each of you and threatening your status as individual students for non-compliance. They may veil this with their recent communications in an attempt to blame others but they issued this directive to the students and this is the only thing that is a threat to you on a personal level. We are deeply saddened by this reprehensible behavior. AEPi does not believe in threats. In order to protect your interests, WAFUS house corporation has no choice but to allow any member to cancel their lease for 2020-2021. Under separate cover we will send each student a link with a form that requests release and refunds of any sums that have been prepaid.

With that said, the most recent university email is factually inaccurate, outlining a series of communications that did not occur. We want to be transparent with you about what this disagreement is truly about.

The chapter was first notified of the conduct investigation in December, 2019. Leases were sent to our students via email and posted to the Esponda Associates, Inc. website on January 16,

2020. The first communication the chapter received concerning occupancy of the fraternity house was March 13, although that correspondence was not shared by the university with the house corporation. The university appeared not to realize that they had conveyed the property to the fraternity related house corporation in 1959.

The chapter appealed the March 13 determination. The fraternity General Counsel spoke and wrote to the University of Florida Associate General Counsel on April 21, offering educational, rather than punitive based solutions. The university did not respond to the April 21 letter from the fraternity attorney until approximately a week ago, when she called to inform the fraternity that the university was going to send the threatening letter which you all received. The chapter appeal was initially denied on April 16, but then the denial was rescinded by the university on May 11. On June 10, the university notified the chapter that the appeal was denied.

Between Thursday, March 26 and early August, the International Fraternity worked with the chapter and tried on numerous occasions to work with the university. Many informal requests were communicated to the university, proposing a balanced educational approach to resolve any conduct issues.

We feel that the continued uncertainty caused by a two-month delay for this step alone combined with refusal to work hand-in-hand with the fraternity put undue pressure on the students. No reasonable party would believe that students or a house corporation could wait until the middle of June to sign housing agreements and make plans for the following school year. This would not be realistic in any year but particularly ridiculous during the COVID-19 pandemic. Unfortunately, there are economic factors that are a reality for students and for the house corporation. Students want safe, affordable, and convenient housing on campus for a reasonable cost and Wafus House corporation needs to generate enough revenue to cover the carrying costs of the facility. Keeping the facility empty presents an extreme hardship for all of us. The university has offered no remedies to help defray the costs. Further, the university has falsely inferred that due to these factors, the motives of the fraternity are profit driven. Wafus House Corporation is a nonprofit corporation, managed by volunteers, who receive no compensation, and in fact, spend a considerable amount of their own money for the benefit of the fraternity. All revenue generated by the corporation is used to improve and maintain the property.

Despite several conversations with the university's attorneys, our interpretation of the language in our deed (below) would allow our members to live in the house. The deed language does not state that a Fraternity must retain university recognition; only that it would be subject to "reasonable university rules". Nobody has told or inferred otherwise to any student or the chapter. In addition, it is strange to think that a university would be able to singularly and unilaterally interpret and force compliance with a deed restriction rather than a court. We believe that the university realized that their legal position on the deed restriction was weak and choose to use a directive to the students, quoting a broad clause in the student code of conduct as a means to achieve their desired outcome.

Deed Restriction

For the purpose of University regulations, and their enforcement, said property shall at all times be considered a part of the campus of the University of Florida, so long as it may be used for sorority or fraternity purposes, or other University activity; and said property, as well as all persons occupying the same, and all persons entering or remaining thereon, shall be subject to

reasonable University of Florida rules pertaining to traffic, sanitation, and police regulations, University rules for the conduct of student personnel and University employees, and regulations of University student organizations; said property shall at all times be kept in a neat, clean, and sanitary condition.

Despite the disagreements and the heated rhetoric, AEPi believes that a university relationship with a chapter is a preferred way to operate. We appreciate that Universities offer resources to students and this fight has been one to try to ensure access to resources which we believe will help create better men, a better experience, and a better community. We hope that the university will be willing to approach AEPi and our students on more reasonable terms in the future and will be willing to offer guidance, education, and resources to members of AEPi, as they do with other student groups. Although we are still continuing to explore and pursue every possible avenue for a better resolution, the threats and directives from the university to the students are clear and there is little that AEPi can do to help mitigate the threat to our members. We will do our best to retain the house for future generations of AEPi men and resume on campus operations of the chapter for 2021-2022.

Fraternally,
Jim

James C. Fleischer
Chief Executive Officer
Alpha Epsilon Pi Fraternity



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