



Resolution #3-08

The University Park Undergraduate Association (UPUA)

The Pennsylvania State University

2008 - 2009 Session, 3rd Assembly Session

April 23, 2008

*Be it Enacted by the Association, having been considered by the
Assembly of Student Representatives' Committee on Governmental Affairs a*

Resolution

Property Retention for the Phi Delta Theta Fraternity

Decided: [27/0/2]

Nature of the Situation:

The Penn State chapter of the Phi Delta Theta Fraternity is currently in jeopardy of losing their charter. The members will be appealing the revocation of their national charter in June 2008. If they should lose the decision, Penn State University has informed the brothers of Phi Delta Theta that their house will be confiscated and the residents will be forced to find alternative living arrangements.

In 2004, when Phi Delta Theta still possessed their national charter, the University attempted to acquire their land for the purpose of demolishing the house and building a park in its place. An article from the March 19, 2004 *Penn State Live Newswire* reads,

“Penn State has reached an agreement with the local chapter of Phi Delta Theta to acquire the fraternity's property at the corner of Burrowes and Pollock roads on the University Park campus, with the intent to rededicate the parcel as park-like green space. The fraternity, faced with significant costs to either renovate its facility or construct a new house, met with University officials regarding a possible sale. In 1905, The Pennsylvania State College conveyed the .536-acre parcel to The Pennsylvania Theta Chapter of the Phi Delta Theta Fraternity for the purpose of erecting a chapter house. The deed, signed by Gen. James A. Beaver, as president of the Board of Trustees, and witnessed by Penn State President George W. Atherton, stipulated that, should the fraternity no longer wish to use the property, the college or its successor had the right to purchase it at a price agreed upon by both parties. Penn State's Board of Trustees today (March 19) authorized a purchase price of \$800,000 for the real estate, as well as an additional \$300,000 to provide for costs related to relocating the Phi Delta Theta membership to another location. The fraternity's relocation plans have not yet been determined. Although considered to be on the outskirts of campus 100 years ago, the property today holds strategic importance to the University. The construction of the Information Sciences and Technology Building, along with the closure of the adjacent section of Pollock Road, has brought prominence to the Phi Delta Theta parcel, which is landlocked by contiguous University Park campus property. Due to

1 the physical condition of the building, the University plans to demolish it and rededicate
2 the site as open green space as early as June 2004. The resulting parklet will provide an
3 attractive outdoor public space linking an enhanced Pollock Road corridor on central
4 campus with the Information Sciences and Technology Building and its gateway to West
5 Campus.”
6

7 The University, as seen in the article, has a precedent for wanting this land and their
8 intentions for seizing the land remain the same in 2008.
9

10
11 **Purpose of Request:**
12

13 If the brothers of Phi Delta Theta lose their appeal and their national charter, the Penn
14 State University will force them to vacate their house so that the house can be demolished
15 or moved. The University will then have the first option to the property. This leaves nearly
16 fifty students without a home for the 2008-2009 academic year that will then be a mere
17 two months away.
18

19 In 1997, President Graham Spanier charged Penn State to be the most “student-centered”
20 university in the nation. Leaving over fifty students without a home or an opportunity to
21 earn back their national charter, or merge with another, fails to meet this presidential
22 charge.
23

24 The Phi Delta Theta Fraternity and its house are significant to Penn State University. The
25 house is both a historical and a student building. It is imperative that a student-centered
26 university give the brothers of Phi Delta Theta the opportunity to regain a national charter,
27 either through Phi Delta Theta or through a merger with another national chapter.
28

29 Additionally, if the University were to force the brothers of Phi Delta Theta to vacate the
30 premises, there are other Penn State fraternities without owned properties that could use
31 the house. There is absolutely no reason to rush into the demolition of student space,
32 especially space of such a historical nature.
33

34 Finally, finding off-campus housing for an academic year over the summer is a near
35 impossible feat. By forcing the residents of the Phi Delta Theta fraternity out of their house
36 in June, they are effectively leaving over fifty students without a home for the 2008-2009
37 academic year. This is an unacceptable action to be taken by a student-centered university.
38

39
40 **Plan for Action:**
41

42 Phi Delta Theta Fraternity shall be given until at least December 31, 2008 to set the
43 foundations for partnering with a national fraternity, if they have lost their appeal with
44 their own national charter. If the foundations for partnering with a national fraternity have
45 been set by this date, the appropriate time to fully incorporate with a national shall be left
46 under the jurisdiction of the new chapter. Phi Delta Theta President Kevin Haslam

1 estimates that it may take a full three years to truly get on their feet. While the brothers
2 are working to partner with another national fraternity, they are to be allowed to remain in
3 their fraternity house located at 240 N. Burrowes Road. Penn State University should not
4 seize the Phi Delta Theta fraternity property and should leave the house erect.

5
6 Respectfully submitted,

7
8 Samantha Miller, At Large Rep
9 Governmental Affairs Chair

Christopher Morell, Off Campus Rep
Internal Development Chair

10
11 Daniel Lersch, On Campus Rep

Richard Shermanski, Liberal Arts Rep

12
13
14
15
16 Assembly Committee Vote: 5/0/0
17 Signature of the Assembly Chair:

Ralph Crivello

18
19
20 **Affirm**

21 Gavin Keirans

22 Gavin Keirans
23 President, University Park Undergraduate Association

Veto

24
25 *All signatures on file in UPUA Office, 314 HUB*