



The Ohio State University Police Division

901 Woody Hayes DR
COLUMBUS, OH 43210
Phone 614-292-2121 Fax 614-292-7953

Incident / Offense Report
1-17-004091

Print Date/Time:
9/13/2017 13:07

EVENT INFORMATION

Report No.: 1-17-004091 Local Report No:
Type: UNDER2 Offenses involving underage persons Report Date/Time: 9/10/2017 04:00
Comment: Event Date/Time: [REDACTED]
Disposition: Closed-Completed

EVENT LOCATION

[REDACTED] Location Type: College
[REDACTED] County: Franklin
[REDACTED] Map / Ref:
Intersection:
Beat / District: Academic South Of W. 17th Ave. Zone / Area: Academic

ADMINISTRATION

Reporting Officer: Bernstein, Jaron
Entered By: Bernstein, Jaron
Approved By: Howe, Kyle
Additional Approvals:

OFFENSE INFORMATION

Offense No.: 1 S 4301.69 Offenses involving underage persons
Larceny Type:
Degree: Misdemeanor-1st Degree Attempted / Committed: C
Location Type: College Residential Facility
Use of Force: None
Motive: Not Applicable
Hate/Bias Crime: No Bias/Not Applicable Intimidation (Hate Crime): No
Target of Bias: Domestic/Family Violence Involved: No
Criminal Activity:
Vehicle Method of Entry:
Suspected of Using: Alcohol
Weapon Used: None
Arson:
Coercion:
Disposition: Adult- Released Without Charge Disposition Date: 09/10/2017
Clearance: Closed
Cleared By: Bernstein, Jaron Cleared By Date: 09/10/2017

PERSON INFORMATION

REP No.: 1 [REDACTED]
[REDACTED]
SSN: ***** Date of Birth: [REDACTED] Age: [REDACTED] Date of Emancipation: / /
D.L. No.: [REDACTED] State: [REDACTED] Exp. Date: / / Phone:



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Place of Birth:
Gender: Race: Hgt: Wgt:
Residential Status: Student
Aggravated Assault/Homicide Circumstance:
Cell:
Country:
Hair: Eyes
Marital Status:
Statement Obtained: Yes, Oral

EMPLOYER/SCHOOL INFORMATION

Company Info:
Occupation: Phone: Ext:

PERSON INFORMATION

SUSP No.: 1
SSN: ***** Date of Birth: Age: Date of Emancipation: / /
D.L. No.: State: Exp. Date: / / Phone:

Place of Birth:
Gender: Race: Hgt: Wgt:
Residential Status: Student
Aggravated Assault/Homicide Circumstance:
Cell:
Country:
Hair: Eyes
Marital Status:
Statement Obtained: Yes, Oral

EMPLOYER/SCHOOL INFORMATION

Company Info:
Occupation: Student Phone: Ext:

PERSON INFORMATION

VPR No.: 1 SOCIETY,
Society/ P OH 43210
SSN: Date of Birth: / / Age: Date of Emancipation: / /
D.L. No.: State: Exp. Date: / / Phone:

Place of Birth:
Gender: M Race: W Hgt: 0' 0" Wgt: 0
Residential Status: Unknown
Aggravated Assault/Homicide Circumstance:
Country:
Hair: Eyes
Marital Status: N
Statement Obtained:

PERSON INFORMATION

WITN No.: 1
SSN: ***** Date of Birth: Age: Date of Emancipation: / /
D.L. No.: State: Exp. Date: / / Phone:
Cell:



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Print Date/Time:
9/13/2017 13:07

Place of Birth: Country:
Gender: Race: Hgt: Wgt: Hair: Eyes
Residential Status: Student Marital Status:
Aggravated Assault/Homicide Circumstance: Statement Obtained: Yes, Oral

EMPLOYER/SCHOOL INFORMATION

Company Info:
Occupation: Student Phone: Ext:

PERSON INFORMATION

WITN No.: 2
SSN: ***** Date of Birth: Age: Date of Emancipation: / /
D.L. No.: State: Exp. Date: / / Phone:
Cell:
Place of Birth: Country:
Gender: Race: Hgt: Wgt: Hair: Eyes
Residential Status: Other Marital Status:
Aggravated Assault/Homicide Circumstance: Statement Obtained: Yes, Oral

Narrative Type: Log Narrative Topic:
Narrative Officer: Bernstein, Jaron 304 Narrative Date/Time: 9/10/2017 06:15

A male staff member reports Offenses Involving Underage Persons by a known female student suspect.

Narrative Type: Supplement Topic:
Narrative Officer: Bernstein, Jaron 304 Narrative Date/Time: 9/10/2017 06:16

I was dispatched to on report of an ill person who may have been drugged. I went to that location and met the listed persons. , age , was in the bed under several blankets. said that had reported that her mouth felt numb, she felt cold and her heart was fluttering.

CFD Medic 7 responded and examined . CFD determined she did not need to go to the hospital. refused an offer of transport to the ED. CFD cleared.

I was informed that the listed persons had been out together the first at a house party (where consumed three cups of beer) and later a fraternity (Phi Delta) part where she had consumed two cups of vodka and coke. The other persons had also consumed alcohol at these parties and felt no ill effects. No one observed illicit substance(s) being placed in drinks. had not separated from the group and they noted no unauthorized sexual activity.

I spoke with She said she this was first time she had been intoxicated. I left her my card in the event she wished to speak with OSUPD in future should she recall anything else.

A sober adult agreed to remain with . I departed. This report was taken to document the event should it develop into a future criminal report. No further action at this time.

Narrative Type: Student Conduct Referral Topic:
Narrative Officer: Howe, Kyle 313 Narrative Date/Time: 9/10/2017 07:04



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Incident / Offense Report
1-17-004091

Print Date/Time:
9/13/2017 13:07

refer to student conduct

December 18, 2017

Phi Delta Theta
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear Phi Delta Theta:

I am writing to give you an update on your conduct case. At this stage of my investigation, there exists reasonable cause to issue one or more charge(s) under the Code of Student Conduct. Charging does not, however, assume that you are responsible for violating any sections of the code; it only causes the second half of our process to begin.

I have attached your Charge and Process form to this email. Please review it carefully, select your resolution option, then sign and date the bottom of the form.

I encourage you to consult with an advisor of your choice or with the Student Advocacy Center (<http://advocacy.osu.edu>) as you consider your options. Additionally, students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at (614) 292-6207 (voice), (614) 688-8605 (TTY), ada-osu@osu.edu, or visit <https://ada.osu.edu/>. One week's notice will allow for seamless access. Should you need additional time in order to seek any appropriate accommodation, please contact me immediately.

Once you have completed the form, you may scan and email it directly to me, fax it to my office at 614-292-2098, or drop it off in person. This form is due by 4:30 p.m. on December 27, 2017. Failure to return this form by the stated deadline will result in an Administrative Hearing.

If you have any questions, please feel free to let me know.

Sincerely,



Kelly B. Smith, J.D.
Assistant Director

CC: Kim De Freitas Monteaux - Director of Sorority and Fraternity Life

Jeff Davis - General Council President of Phi Delta Theta

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE & PROCESS FORM

Name: Phi Delta Theta

I. Charge: Phi Delta Theta is alleged to be in violation of the following section of the Code of Student Conduct:

- 3335-23-04 (B1) Endangering behavior: Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action.
- 3335-23-04 (J): Alcohol: Use, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable University policy

Specifically, it is alleged that on September 9, 2017, Phi Delta Theta violated Ohio State's Code of Student Conduct in the following manner:

Although you hired additional security to assist in risk management efforts, rather than follow some portions of risk management strategies (e.g., IFC, FIPG, Phi Delta Theta and any other applicable BYOB Policies, etc.), which are designated to reduce risk and promote adherence to applicable laws, your chapter instead endangered the health and safety of guests and members by:

- Failing to always identify/mark all guests based on age in a manner that would limit access to alcohol only to guests 21 years old or older.
- Failing to implement a system to control the distribution of alcohol available to only guests 21 years old or older.
- Failing to implement a system to control the amount of alcohol available and/or consumed by members and guests.
- Purchasing and providing alcohol to members and guests, paid for in part by members' dues or other "passing the hat" type collections.
- Purchasing and/or providing alcohol other than beer and individual servings of wine, such as Four Loco.

As a result, at least one individual under the age of twenty-one, who consumed alcohol at the event, experienced adverse physical reactions.

II. Acceptance/Non-Acceptance of Responsibility:

To resolve these charges, place your initials next to your selection.

_____ I accept responsibility for the violation(s) of the Code of Student Conduct as listed in Section I of this form. I request an Administrative Decision.

_____ I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. I request an Administrative Hearing before a University Hearing Officer.

_____ I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. I request a hearing before the University Conduct Board.

Failure to return this form by the stated deadline will result in an Administrative Hearing.

III. Possible Sanctions: If you are found in violation, please understand that you may be subject to formal reprimand, disciplinary probation, suspension, dismissal or any other sanction or combination of sanctions in the Code of Student Conduct.

You are strongly encouraged to consult with the Student Advocacy Center (<http://advocacy.osu.edu>) and/or your advisor of choice as you consider your options.

This form is due by 4:30pm on December 27, 2017.

Signature: _____ Date: _____

October 13, 2017

Phi Delta Theta

Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

To the members of Phi Delta Theta,

The Ohio State University Police Department provided information to our office that describes conduct by Phi Delta Theta on September 9, 2017. I am investigating whether this conduct may have violated the following sections of the university's Code of Student Conduct:

- 3335-23-04 (J): Alcohol: Use, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable University policy
- 3335-23-04 (B1) Endangering behavior: Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action.

As a leader of the organization, you must contact Student Conduct by October 20, 2017 to schedule a preliminary conference with me. The purpose of this conference is twofold. First, I will explain and answer your questions about the Student Conduct process. Second, you will have the opportunity to explain what happened, to provide materials, and to identify other individuals with information about the alleged incident.

I encourage you to share any information or material you have related to this incident. You may bring one advisor and a registered co-leader (if applicable) to your preliminary conference. Your advisor can be any person who is not involved as a witness or other participant in the case. Employees of the university's Student Advocacy Center (<http://advocacy.osu.edu>) are available to provide advisor services or other support throughout this process upon request. To find out more information about these services or to request advisor services, please e-mail the Student Advocacy Center at advocacy@osu.edu.

You will find the Code of Student Conduct and information about our process at <http://studentconduct.osu.edu>. Additionally, I have attached a Statement of Student Rights and a description of the university's Hearing Procedures to this letter.

Students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at (614) 292-6207 (voice), (614) 688-8605 (TTY), ada-osu@osu.edu, or visit <https://ada.osu.edu/>. One week's notice will allow for seamless access. Should you need additional time in order to seek any appropriate accommodation, please contact me immediately.

If you do not contact our office by October 20, 2017 to set your preliminary conference appointment, I may place a disciplinary hold on your university account. This hold could prevent you from scheduling classes; viewing grades; or receiving transcripts, diplomas or refunds. Please note that if you do not participate in our process, I may continue this investigation without your input. This could result in charges, a hearing, and sanctions if a violation is found.

To schedule your preliminary conference, please call Student Conduct at (614) 292-0748 between 8:00 a.m. and 5:00 p.m. Monday through Friday. Thank you in advance for your prompt attention to this matter.

Sincerely,



Jeffrey A. Majarian
Assistant Director

CC: Hunter Hartwig

Statement of Student Rights

1. **Written notice of university charges** (3335-23-07 A.)
 - a. Students shall be notified of university charges in writing, unless a more effective form of notification is deemed appropriate. Charges may be presented in person, by placement in a student's residence hall mailbox, by email to the accused student's official university email address (which may direct the student to view the notice on a secure website), or by mail to the accused student's local or permanent address.

2. **Meeting with a University Official** (3335-23-07 C.)
 - a. Students are strongly encouraged to and shall be afforded the opportunity to meet with a university official for the purpose of explaining the university student conduct process and discussion of the charges.

3. **Hearing** (3335-23-08)
 - a. In all cases, a student charged with one or more violations of the code of student conduct has the right to a hearing.
 - b. [A] student may request in writing to have a decision as to appropriate action made administratively by a hearing officer rather than have the charges referred to a hearing officer or board for a hearing.
 - c. Following an administrative decision, the student retains the right to request an appeal of the original decision, but may do so only upon the ground that the sanction is grossly disproportionate to the violation committed.

4. **Notice of Hearing** (3335-23-09 A.)
 - a. If a hearing is to be held, written notification will be provided
 - b. The notice may be hand delivered; placed into a student's residence hall mailbox; sent by email to the accused student's official university email address, which may direct the student to view the notice on a secure website; or mailed to the last known address of the student, by first class mail, no fewer than ten (10) calendar days prior to the hearing
 - c. Unless already provided to the student, the notification will include the charge(s), date, time, and location of hearing, the designated hearing officer or board, a statement of the student's rights, and information on the hearing procedures.

5. **Postponement** (3335-23-09 B.)
 - a. The accused student may request a postponement for reasonable cause or a separate hearing from other accused persons. A request for a postponement for reasonable cause must be made in writing, include supporting rationale, and be received by the person sending the hearing notification at least two (2) business days before the scheduled hearing.

6. **Advisor** (3335-23-10 B.)
 - a. The accused student may have an advisor throughout the disciplinary process
 - b. The advisor may only counsel the student and may not actively participate in the disciplinary process, unless clarification is needed as determined by the hearing officer or board.

7. **Written statements and witnesses** (3335-23-10 C.)
 - a. The accused student:
 - i. May submit a written statement;
 - ii. May invite relevant factual witnesses to attend;
 - iii. May invite character witnesses to submit written statements;
 - iv. May ask questions of witnesses called by others;
 - v. Will be notified of potential witnesses to be called;
 - vi. Must submit a list of potential witnesses to the hearing officer at least two (2) business days prior to the hearing.

8. **Standard of Evidence** (3335-23-10 F.)
 - a. A student will only be found in violation if a preponderance of the evidence supports the charges.

9. **Attendance** (3335-23-11)
 - a. No inference will be drawn against a student for failing to attend a hearing or remaining silent.
 - i. The hearing will proceed and the conclusion will be based on the evidence presented.
 - b. No decision shall be based solely on the failure of the accused student to attend the hearing or answer the charges.

10. Record of proceedings (3335-23-12)

- a. A single record consisting of written notes, tape recording, or other method selected by the hearing board or officer, will be made of all hearings.
 - i. Such record will remain property of the university but will be made available to the accused for review during the appeal period.
- b. A written notice of the decision, and, if found in violation, information regarding appeal procedures will be provided to the accused student.

11. Hearing Bodies (3335-23-13 B.)

- a. The accused student has the right to accept responsibility for the charges, which will result in an administrative decision or choose to have a hearing.

12. Hearing Bodies (3335-23-13 C.)

- a. Students will generally be afforded the right to choose an administrative or a board hearing, except under special circumstances where, in order to ensure a fair and just process, the hearing officer may determine the appropriate hearing venue.

13. Right to appeal (3335-23-18 A.)

- a. A student found to have violated the Code of Student Conduct has the right to appeal the original decision.

14. Right to appeal (3335-23-18 A.)

- a. In cases involving charges related to sexual harassment, the victim may appeal the original decision in accordance with the appeals procedures provided in this section
 - i. Such charges include, but are not limited to, sexual misconduct and stalking.

Hearing Procedures

3335-23-10 Hearing procedures

Although the procedural requirements are not as formal as those existing in criminal or civil courts of law, to ensure fairness, the following procedures will apply and, unless already provided to the student, be included within the hearing notice:

- A. **Attendance** – Attendance at hearings is limited to those directly involved or those requested by the hearing officer or board to attend. The hearing officer or board will take reasonable measures to assure an orderly hearing, including removal of persons who impede or disrupt proceedings
- B. **Advisor** – The accused student may have an advisor throughout the disciplinary process. The advisor may only counsel the student and may not actively participate in the disciplinary process, unless clarification is needed as determined by the hearing officer or board
- C. **Written statements & witnesses** – The accused may: submit a written statement invite relevant factual witnesses to attend, invite character witnesses to submit written statements, ask questions of witnesses called by others, and will be notified of potential witnesses to be called. The accused must submit a list of potential witnesses to the hearing officer at least two (2) business days prior to the hearing. The university may present witnesses as well as question those presented by the accused
- D. **Witness absence** – The hearing officer or board coordinator may allow written statements if, for good reason, a fact witness cannot attend the hearing
- E. **Consultants** – In cases requiring special expertise, the board coordinator may appoint individuals with appropriate expertise to serve as consultants to the board. The consultants may be present and provide information as called upon during the hearing but will not vote
- F. **Standard of evidence** – A student will only be found in violation if a preponderance of evidence supports the charges. In the event of a tie, the board will continue to deliberate. If after the board determines that exhaustive deliberations have occurred and a majority decision is not reached, the student will be found not in violation
- G. In cases where prompt review is essential (e.g., when graduation or the end of the academic year is imminent) the accused may be offered the option of an expedited administrative review consisting of an administrative decision or administrative hearing. The accused student may decline such expedited review without the expectation that the process can be completed on an expedited timeline.

February 20, 2018

Phi Delta Theta
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED]

I'm writing to notify you of the outcome of your University Conduct Board Hearing. We held the hearing on February 14, 2018. After a review of the testimony and evidence, the University Conduct Board reached the following finding(s):

- **3335-23-04 (B1) Endangering behavior:** Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action. -- Not in violation

You accepted responsibility for the following violations of the Code of Student Conduct:

- **3335-23-04 (J): Alcohol:** Use, production, distribution, sale, or possession of alcohol in a manner prohibited under law

In determining the following outcomes, including the length of the probation period and the timing of the return of social privileges, we considered several factors:

- Phi Delta Theta's recent conduct history
- Phi Delta Theta accepting responsibility for the alcohol violation
- Phi Delta Theta's reactive steps to improve risk management
- A specific individual who experienced harm

This outcome letter does not replace or nullify any sanctions or stipulations set forth by your organization's national headquarters, advisors, Sorority and Fraternity Life, the IFC, or The Ohio State University.

As a result of the violations, the following sanctions have been given:

Disciplinary Sanction

Your chapter's disciplinary probation is effective immediately through December 15, 2018. Probation is a heightened state of warning that does not otherwise control or direct your chapter's functioning. Rather, probation supports the chapter's efforts to avoid additional violations, which could result in further disciplinary action including extended probation,

suspension, or dismissal.

Educational Sanctions

Risk Management Analysis

Your chapter must complete a thorough Risk Management Analysis to assess the real, perceived, and potential risks of the chapter's activities. Base your analysis on current and past practices, beliefs, values, and attitudes of new and initiated members, alumni, and Ohio State community members. Your chapter must identify all applicable policies, guidelines and expectations placed on the chapter by your national organization, FIPG, IFC, Sorority and Fraternity Life, and the Code of Student Conduct.

Your Risk Management Analysis should include an executive summary that reports the findings and recommendations, as well as a two-year plan of action for the chapter. The focus of the Risk Management Analysis should include ways to evaluate, develop, strengthen, and assess risk management in relation to the chapter's philanthropic, recruitment, new member, social, ritual, and alumni programs. Executive members must complete this analysis in consultation with your chapter advisor. In addition to Student Conduct, you must submit the Risk Management Analysis to your national headquarters, alumni board, and Sorority and Fraternity Life.

Your chapter must submit the Risk Management Analysis along with copies of all the applicable policies to bailey.1347@osu.edu and studentconduct@osu.edu, no later than 4:00 p.m. on April 24, 2018. Failure to meet this requirement will result in an extension of the prohibition against events with alcohol.

Minimum Risk Management Practices Required

Adherence to BYOB Policies

Upon your chapter being able to host events where alcohol is permitted, the chapter must abide by the BYOB policy identified in their FIPG insurance policy or other risk management guidelines provided by your national organization. At a minimum, your chapter must meet the following expectations:

- Guests who do not arrive to the event with alcohol should not be served, regardless of the guest's age.
- Guests who are of age must have their ID checked and are allowed a maximum of six 12 ounce beers or four wine coolers which they have brought themselves.

Paid Security

Further, for any social event in which alcohol is present, the chapter will hire third-party security to "work the door" such that only invited guests gain admittance and that everyone is properly identified as 21 and older or under the age of 21.

Sober Monitors

Adhere to the sober monitor to guest ratio expectation established by Sorority and Fraternity Life and your national headquarters. At a minimum, there must be at least one sober monitor per twenty guests.

Follow Up Meetings

In addition to your regular communication with your contact in Sorority and Fraternity Life, your chapter is required to meet with Katie Bailey once during each semester of the probationary period. The intention of these meetings is to maintain communication regarding the growth and progress of the chapter and continue a working relationship with each other. The President, Vice President, and Risk Manager must attend each meeting. Call 614-292-0748 during normal business hours to schedule these meetings.

Documented Compliance

Your chapter must “show its work” regarding its compliance efforts. The chapter must develop a Documentation Plan to identify and retain documentation that demonstrates compliance. The plan must identify someone from the national organization who will review your chapter’s compliance with its Documentation Plan once a month during the remainder of the 2017 - 2018 academic year and throughout the 2018 - 2019 academic year. The Documentation Plan must address the following specific compliance areas:

Documenting Alcohol

Your Documentation Plan must include procedures to inventory and track alcohol, including the type and amount) brought to, consumed during, and left over at social events. These procedures must include the number of drinks served by the bartender(s).

Guest Lists

Your Documentation Plan must include procedures to create, use and maintain guest lists for all social events that will:

- track invited guests
- identify guests added during an event
- confirm the age of all guests and members attending events
- record the type and amount of alcohol brought by guests and members to the event

Additional Items

Here are additional examples of what your Documentation Plan should include:

- receipts for paid-security
- written instructions provided to security prior to each event
- receipts for wristbands or punch cards
- wristband tabs collected during an event, or used punch cards collected after the event
- receipts for food, water, non-alcoholic beverages

Your chapter's Documentation Plan is due by 4:00 p.m. on April 24, 2018 by email to bailey.1347@osu.edu and studentconduct@osu.edu.

Progressive Return of Social Privileges

Progressive social privileges is an educational tool that provides your chapter with the opportunity to work through a set of planned social functions over several weeks to test your ability to host events in full compliance with risk management guidelines, state and local laws and statutes, and other applicable university policies.

Effective immediately, your chapter may not host any events with alcohol present.

Your organization is prohibited from participating, sponsoring, or hosting any meetings, philanthropies, or social events involving alcohol. This includes, but is not limited to in-house socials, alumni events, catered socials, tailgates, (semi) formals, and third-party vendor location socials. Thus, both on-campus and off-campus social events (e.g., at restaurants, bars, catering facilities, etc.) are prohibited. It should also be noted that this definition refers to any third-party vendor regardless of location, including outside the city of Columbus, Ohio. This also includes philanthropy events at third-party vendors.

Beginning September 8, 2018, your chapter may begin hosting events with alcohol according to the progressive schedule detailed below. Note that between events with alcohol, your chapter is required to host "dry" events. This progression will only begin and/or continue if your chapter has no further disciplinary action against them, and has complied with previous sanctions.

If your national organization requires smaller member to guest ratios for events with alcohol, your chapter must follow those rules. This sanction does not increase those ratios.

Your chapter must register all events, including events without alcohol, pursuant to Sorority and Fraternity Life and/or IFC guidelines.

Event One - Members Only Event – Permissible on or after September 8, 2018

This first social event with alcohol must be a Members Only Event. The event **MUST** be limited to members of the organization only. This means that no one outside the organization can attend. A majority (more than half) of the chapter must be present. This event must adhere to all risk management guidelines, state and local laws and statutes, and other applicable university policies. This event **MUST** be planned, coordinated, and implemented collaboratively with your alumni board, chapter advisor, national organization, and any other organizations/offices you feel appropriate.

After the successful completion of the Members Only Event, your chapter must host a social event without alcohol where eighty percent of the entire chapter is present, preferably with other invited guests or another chapter.

After successful completion of Event One and the subsequent non-alcoholic event, your chapter is eligible to host additional Members Only events with alcohol.

Event Two - 1:1 Ratio Member/Non-Member Event – Permissible on or after October 8, 2018

During this social event, alcohol is permitted with a 1:1 Ratio Member/Non-Member Event (i.e. tailgate or date party or event with a fraternity/sorority). A majority (more than half) of the chapter must be present. This event must adhere to all risk management guidelines, state and local laws and statutes, and other applicable university policies. This event **MUST** be planned, coordinated, and implemented collaboratively with your alumni board, chapter advisor, national organization, and any other organizations/offices you feel appropriate. This event assumes successful implementation of progressive social privileges up to this point.

After the successful completion of the 1:1 Ratio Member/Non-Member Event, your chapter must host a non-alcohol social event where 80% of the entire chapter is present, preferably with other people or another chapter. After successful completion of Event Two and the subsequent non-alcoholic event, your chapter is eligible to host additional 1:1 ratio and member only events.

Event Three - 1:2 Ratio Member/Non-Member Event – Permissible on or after November 8, 2018

During this social event, alcohol is permitted and your chapter may not exceed a 1:2 Ratio Member/Non-Member Event (i.e. tailgate or date party or event with a fraternity/sorority). A majority (more than half) of the chapter should be present. This event must adhere to all risk management guidelines, state and local laws and statutes, and other applicable university policies. This event **MUST** be planned, coordinated, and implemented collaboratively with your alumni board, chapter advisor, national organization, and any other organizations/offices you feel appropriate. This event assumes successful implementation of progressive social privileges up to this point.

After the successful 1:2 Ratio Member/Non-Member Event – your chapter must host a non-alcohol social event where 80% of the entire chapter is present, preferably with other people or another chapter. After successful completion of Event Three and the subsequent non-alcoholic event, your chapter is eligible to host additional 1:2, 1:1 ratio and member only events.

Event Four - 1:3 Ratio Member/Non-Member Event – Permissible on or after January 8, 2019

During this social event, alcohol is permitted and a 1:3 Member/Non-Member ratio must not be exceeded (i.e. tailgate or date party or event with a fraternity/sorority). A majority (more than half) of the chapter should be present. This event must adhere to all risk management guidelines, state and local laws and statutes, and other applicable university policies. This event **MUST** be planned, coordinated, and implemented collaboratively with your Alumni Board, Chapter Advisor, national organization, and any other organizations/offices you feel appropriate. This event assumes successful implementation of progressive social privileges up to this point.

After the successful 1:3 Ratio Member/Non-Member Event – your chapter must host a non-alcohol social event where 80% of the entire chapter is present, preferably with other people or another chapter. After successful completion of Event Four and the subsequent non-alcoholic event, your chapter is eligible to host additional 1:3, 1:2, 1:1 ratio and member only events.

Beginning January 8, 2020 your organization is eligible to host events with a member to guest ratio that is greater than 1:3. Any and all member to guest ratio requirements established by your national headquarters, Sorority and Fraternity Life, and The Ohio State University which are lower than 1:3 must be adhered to.

Chapter Presentation to Stakeholders

After the Fall 2018 semester has begun and before October 8, 2018, your chapter will give a 60 minute presentation to staff from Student Conduct and Sorority and Fraternity Life on the following topics:

- your chapter values
- how the members of your chapter lived out those values when holding events with alcohol while following all applicable risk management rules, policies, and local, state and federal laws
- how demonstrating compliance as detailed in this outcome serves the short and long-term interests of your chapter, IFC and the university

Please prepare slides and/or other materials for 25 minutes. The remaining 35 minutes is reserved for follow-up questions and dialogue.

While your entire membership should have the opportunity to contribute to the presentation, the executive board is required to attend the presentation.

You must call 614-292-0748 to schedule your presentation at least two weeks in advance of your intended presentation date.

Summary of Dates

Here is a summary of important dates found in this outcome:

- Disciplinary Probation: Effective immediately through the Fall 2018 semester
- Risk Management Analysis Summary due – April 24, 2018
- Documented Compliance Plan due – April 24, 2018
- Presentation to Stakeholders – on or before October 8, 2018
- Progressive Return of Social Privileges
 - First event with alcohol present – members only – September 8, 2018
 - First event with guests 1:1 ratio – October 8, 2018
 - First event with guests 1:2 ratio – November 8, 2018
 - First event with guests 1:3 ratio – January 8, 2018
 - First event with guests greater than 1:3 ratio – January 8, 202

Requests for Extensions and Modifications

Your chapter president must submit requests for extensions or minor modifications to studentconduct@osu.edu. Requests must contain a detailed rationale for the request.

Staffing Change

Should Student Conduct no longer employ me, or if my role were to change, another staff member will monitor sanction completion. To account for such a change, please include studentconduct@osu.edu on all of the sanction items described in this letter.

Appeal

You have the right to appeal this decision to the Senior Vice President of Student Life. You must submit your appeal no later than 4:00 pm on February 27, 2018. To submit an appeal, use the online appeal form found at <http://studentconduct.osu.edu/for-students/understanding-the-student-conduct-process/appeals/> You may also submit a written appeal, using the form attached to this letter along with any relevant documentation, to the Office of Student Conduct, 550 Lincoln Tower, 1800 Cannon Dr., Columbus, OH 43210, by the deadline. If you do not submit an appeal, this decision will be effective at the end of your appeal period. If you have any questions, call (614) 292-0748 prior to the expiration of your appeal period.

You are strongly encouraged to consult with the Student Advocacy Center (<http://advocacy.osu.edu>) and/or your advisor of choice as you consider your options, including the possible impact that any assessed sanctions may have on you and your status as a student at the university.

Students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at (614) 292-6207 (voice), (614) 688-8605 (TTY), ada-osu@osu.edu, or visit <https://ada.osu.edu/>. One week's notice will allow for seamless access. Should you need additional time in order to seek any appropriate accommodation, please contact me immediately.

If you have any questions concerning this matter, please do not hesitate to contact me at (614) 292-0748 between 8:00 a.m. and 5:00 p.m. Monday through Friday.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katie Bailey', with a stylized flourish at the end.

Katie Bailey
Hearing Officer

CC: Ryan Lovell - Senior Director of Parent and Family Relations and Greek Life
Director of Sorority and Fraternity Life - Kim Monteaux De Freitas

STUDENT CONDUCT APPEALS

Student Appeals

- A student or organization found to have violated the Code of Student Conduct has the right to appeal the original decision. **The appeal is not intended to re-hear or re-argue the same case, and is limited to the specific grounds outlined below.** The appeal must state the specific grounds for the appeal and should include all supporting documentation. The appeal must be postmarked or hand delivered to the appropriate appeal officer, or sent via email, **by the deadline provided in the decision letter**, which is usually five (5) working days after the date on which notice of the decision is sent to the student. Each student or organization shall be limited to one appeal. **The decision of the appeal officer is final.**
- In cases involving charges relating to sexual harassment as defined in applicable university policy, the victim may appeal the original decision. Such charges include, but are not limited to, sexual misconduct and stalking.
- A student who (or organization that) has accepted responsibility (Administrative Disposition) for violating the Code of Student Conduct waives the right to appeal, except on the basis that the disciplinary sanction is grossly disproportionate to the violation(s) committed.
- Each party shall be limited to one appeal. The decision of the appeal officer is final.

Grounds for appeal

An appeal may be based only upon one or more of the following grounds:

1. Procedural error that resulted in material harm or prejudice to the student (i.e., by preventing a fair, impartial, or proper hearing). Deviations from the designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results;
2. Discovery of substantial new evidence that was unavailable at the time of the hearing, and which reasonably could have affected the decision of the hearing body; or
3. Disciplinary sanction imposed is grossly disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating factors.

Non-attendance by the accused student may not be the sole grounds for an appeal. Dissatisfaction with a decision is not grounds for appeal.

Appeal Procedure

1. Complete the Appeal Request Form, including signing the form.
2. If applicable, attach supporting documentation.
3. Turn in the signed form and any added documentation to Student Conduct by the deadline. Student Conduct will ensure that the appeal officer receives the appeal and the record of the case.
4. Students neither meet with nor make oral presentations to the appeal officer, except at the request of the appeal officer in order to obtain relevant information.
5. Students who do not submit their appeals by the date/time specified in their decision letter waive their opportunity to appeal.
6. Students who do not provide information concerning the basis of their appeal waive their opportunity to an appeal.

APPEAL REQUEST FORM

Name: _____ Student ID#: _____

Phone: _____ Email: _____

I am the: _____accused student _____victim in a sexual harassment/violence case

I am basing my appeal on one or more of the following reasons [If you check a basis, you must provide facts, documentation or perspective that supports your appeal. It is important to provide information that is as detailed and accurate as possible, so that the appeal officer can make an informed decision regarding the appeal. You may attach additional sheets as needed].

_____1. Procedural error that resulted in material harm or prejudice to the student (i.e. by preventing a fair, impartial, or proper hearing). Deviations from the designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results.

Please identify the procedural error(s) that took place and how the error(s) prevented a fair, impartial or proper hearing.

_____2. Discovery of substantial new evidence that was unavailable at the time of the hearing, and which reasonably could have affected the decision of the hearing body.

Please describe the new evidence and, if appropriate and possible, attach it to this appeal. Indicate why the information was not provided at the time of the hearing. Also indicate why the information is sufficient to alter the original decision in the case.

____3. Disciplinary sanction imposed is grossly disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating circumstances.

Please explain how the sanction is grossly disproportionate to the violation (i.e. unreasonably harsh or light, given all of the relevant circumstances).

I certify that the information presented in my appeal is accurate, to the best of my knowledge. I understand that providing false information is a violation of the Code of Student Conduct and subject to disciplinary charges.

Signature _____ Date _____

For Student Conduct Staff:

Received by: _____ Time _____

Date Stamp:

Delivered to Appeal Officer

Date _____