



Type: **Housing-initiated report (UH)**
Urgency: **Normal**

Incident Date: [REDACTED]
Incident Time: [REDACTED] **AM**
Incident Location: [REDACTED] [REDACTED]

Reported by

Name: [REDACTED]
Title: **Resident Advisor**
Email: [REDACTED]
Phone: [REDACTED]
Address: [REDACTED]
[UNAUTHENTICATED]

Involved Parties

[REDACTED] [REDACTED] [REDACTED] osu.edu
Victim Female

Questions

Please provide a detailed description of the incident/concern using specific concise, objective language.
At approximately [REDACTED] on [REDACTED] Resident Advisor [REDACTED] [REDACTED] received a message from Resident [REDACTED] [REDACTED] asking to talk. Resident [REDACTED] comes to RA [REDACTED] crying, sad, and shaking stating that she was scared of something that happened to her [REDACTED] RA [REDACTED] asked Resident [REDACTED] to share what she felt comfortable telling RA [REDACTED] Resident [REDACTED] stated that she felt comfortable expressing the entire story as long as further action in regards to this situation kept Resident [REDACTED] name anonymous.

Resident [REDACTED] stated that at approximately [REDACTED] on [REDACTED] she and [REDACTED] went to "Block". Resident [REDACTED] stated that "Block" is the party event that takes place in Fraternity Row before Saturday football games. Some of the greek organizations located near the campus participate in this event. Resident [REDACTED] stated that she and her two friends went specifically to the Beta Theta Pi Fraternity house at approximately [REDACTED] to party. Resident [REDACTED] stated that the party was outside on the back lawn of the Beta Fraternity house. She continued by stating there were about fifty people present consisting of both men and women.

Resident [REDACTED] stated that she was given a less than half filled cup of champagne to drink. She stated that the champagne was poured by one of the men of Beta Theta Pi Fraternity behind a bar station. The alcohol was in a blue plastic cup. Resident [REDACTED] remembers tasting the alcohol and stated that she remembers it was "very poor champagne...it tasted terrible". She stated that she remembered taking [REDACTED] remembered placing her cup in her hand behind her back [REDACTED] she remembers taking a few more sips of the drink, but does not remember finishing it.

Resident [REDACTED] then states that she does not remember anything that happened directly after [REDACTED]. She stated that at approximately [REDACTED] she woke up sitting on the ground of one of the bathroom stalls on the [REDACTED] [REDACTED]. After getting up and not knowing how she got there, Resident [REDACTED] stated she tried to walk into her room, but she stated she felt so disoriented and dizzy that she fell to the floor as soon as she opened her room door. She stated that she got up and fell asleep in her bed.

At approximately [REDACTED] Resident [REDACTED] went to dinner with [REDACTED] the "Block" party with and [REDACTED]. During dinner, Resident [REDACTED] stated that she could not eat anything because she kept throwing up. She stated that she had thrown up multiple times. Resident [REDACTED] stated that she told [REDACTED] about her being knocked out for multiple hours and [REDACTED] stated that they had walked Resident [REDACTED] home at approximately [REDACTED]. Resident [REDACTED] has no memory of [REDACTED] walking her home.

Resident [REDACTED] stated that [REDACTED] did not have this experience and that she feels like she was singled out. She stated that she wanted to tell someone about what happened to her so that this would not happen to another girl. RA [REDACTED] assured Resident [REDACTED] that her story would be documented and that she could seek medical attention and further resources on her own disgression.

I

Which of the following responded?

None

Select the Primary overall category reflected in this incident report: (Required/Select Only One)

Alcohol Related

Select the Secondary category of this incident report: (Optional/Select Only One/Must Differ from Above)

Drug Related

Is there any additional relevant information to report?

If you selected a location other than a residence hall OR if you are documenting an issue that is not conduct related (facilities, mental health), please provide YOUR residence hall so this report is properly forwarded to the correct responding staff member.

[REDACTED]

Pending IR [REDACTED]

Submitted from 164.107.206.148 and routed to Kyle Hovest (Hall Director). Processed by routing rule #33.

Copies to: bellini.5@osu.edu,kefals.1@osu.edu,smith.11556@osu.edu,hovest.29@osu.edu



Type: **Housing-initiated report (UH)**
Urgency: **Normal**

Incident Date: [REDACTED]
Incident Time: **2:** [REDACTED]
Incident Location: [REDACTED]

Reported by

Name: [REDACTED]
Title: **Resident Advisor**
Email: [REDACTED]
Phone: [REDACTED]
Address: [REDACTED]

Involved Parties

[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]

Questions

** Please provide a detailed description of the incident/concern using specific concise, objective language.

At approximately [REDACTED] on [REDACTED], Resident Advisor [REDACTED] [REDACTED] received a message from Resident [REDACTED] [REDACTED] asking to talk. Resident [REDACTED] comes to RA [REDACTED] crying, sad, and shaking stating that she was scared of something that happened to [REDACTED] RA [REDACTED] asked Resident [REDACTED] to share what she felt comfortable telling RA [REDACTED] Resident [REDACTED] stated that she felt comfortable expressing the entire story as long as further action in regards to this situation kept Resident [REDACTED] name anonymous. RA [REDACTED] stated that she would not be able to keep her name anonymous for reporting and future action.

Resident [REDACTED] stated that at approximately [REDACTED] on [REDACTED], she and [REDACTED] went to "Block". Resident [REDACTED] stated that "Block" is the party event that takes place in Fraternity Row before Saturday football games. Some of the greek organizations located near the campus participate in this event. Resident [REDACTED] stated that she and her two friends went specifically to the Beta Theta Pi Fraternity house at approximately [REDACTED] to party. Resident [REDACTED] stated that the party was outside on the back lawn of the Beta Fraternity house. She continued by stating there were about fifty people present consisting of both men and women. Resident [REDACTED] did not state the names of [REDACTED] who went to the party with her.

Resident [REDACTED] stated that she was given a less than half filled cup of champagne to drink. She stated that the champagne was poured by one of the men of Beta Theta Pi Fraternity behind a bar station. The alcohol was in a blue plastic cup. Resident [REDACTED] remembers tasting the alcohol and stated that she remembers it was "very poor champagne...it tasted terrible". She stated that she remembered [REDACTED] [REDACTED]. [REDACTED] remembered placing her cup in her hand behind her back [REDACTED]. [REDACTED], she remembers taking a few more sips of the drink, but does not remember finishing it.

Resident [REDACTED] then states that she does not remember anything that happened directly after the photo. She stated that at approximately [REDACTED] she woke up sitting on the ground of one of the bathroom stalls on the [REDACTED]. After getting up and not knowing how she got there, Resident [REDACTED] stated she tried to walk into her room, but she stated she felt so disoriented and dizzy that she fell to the floor as soon as

she opened her room door. Resident [REDACTED] stated that she got up and fell asleep in her bed.

At approximately [REDACTED] Resident [REDACTED] went to dinner with the [REDACTED] she went to the "Block" party with [REDACTED], [REDACTED] and [REDACTED]. During dinner, Resident [REDACTED] stated that she could not eat anything because she kept throwing up. She stated that she had thrown up multiple times. Resident [REDACTED] stated that she told [REDACTED] and [REDACTED] about her being knocked out for multiple hours and her [REDACTED] stated that they had walked Resident [REDACTED] home at approximately [REDACTED]. Resident [REDACTED] has no memory of them walking her home.

Resident [REDACTED] stated that [REDACTED] did not have this experience and that she feels like she was singled out. She stated that she wanted to tell someone about what happened to her so that this would not happen to another girl. RA [REDACTED] assured Resident [REDACTED] that her story would be documented and that she could seek medical attention and further resources on her own discretion.

** Which of the following responded?

None

** Select the Primary overall category reflected in this incident report: (Required/Select Only One)

Alcohol Related

** Select the Secondary category of this incident report: (Optional/Select Only One/Must Differ from Above)

Drug Related

** Is there any additional relevant information to report?

** If you selected a location other than a residence hall OR if you are documenting an issue that is not conduct related (facilities, mental health), please provide YOUR residence hall so this report is properly forwarded to the correct responding staff member.

[REDACTED]

Pending IR [REDACTED]

Submitted from 164.107.206.148 and routed to Kyle Hovest (Hall Director)

Modified by Kyle Hovest on November 15, 2017 at 1:05:26 pm EST from 164.107.43.82



Student	[REDACTED]
Pronouns:	She/her/hers
Advisor(s):	N/A
Date:	[REDACTED]
Hearing Officer:	Kelly Smith and Katie Bailey
Student Information:	Employee: No Organization Member: No NCAA Athlete: No Text Message Approval: Yes

Preliminary Conference/Meeting Notes

• Details

○ *Locations of Incident:*

- Formaggio
- Beta House Party
- Bullwinkles

○ *Dates:*

- [REDACTED]

○ *Timeframe(s):*

- Began at 9PM

• [REDACTED] described the incident as outlined below:

- I was out at drinking for a while.
 - I don't remember what time I started since I was not really aware of what I was doing.
 - The reason why I was not aware was due to the alcohol.
- By the time I got to the bar, I did not really recall too much at that point.
- I was consuming random stuff throughout the night like beer, wine, and hard alcohol.
 - I don't really drink that much. It was once in a blue moon that I went out with my friends and did this type of thing. I had a lot of studying this semester.
- I did not really keep track of how much I consumed.
- I don't remember if I ate dinner since it was a while ago.
- Before I went to the bars, I went to the Beta house for their Bonaro party.
 - I was provided alcohol behind a bar. I was served beer and wine. They don't serve liquor.
 - They do ID and I have a fake ID that I used.
 - They did not provide us wristbands, so every time I went to the bar they checked my ID.
- I did go to Formaggios before and that is where I had liquor.
- I don't know if I drank at Bullwinkles, but I do know that is where I met a guy.
 - I did not know him before.
 - His name is [REDACTED] and he goes to Kent State Univeristy.
- I drunkenly took someone's wallet and took their ID.
- The person who I took the wallet from bumped into the guy I was talking to at Bullwinkles. They were almost getting into a fight.
 - In the middle of the fight, I took the guy who was fighting with [REDACTED]'s wallet.
 - I don't recall what was going through my mind.
 - I don't know the reason for keeping the ID.

- I gave it to the wallet to [REDACTED].
- [REDACTED] told me to keep stealing wallets and I continued to do it a couple more times.
- I would grab a wallet and give it to him.
 - I think I took some cash, but again I am not really sure.
- We eventually were arrested upon leaving since the kid who I took the ID called the cops and informed them that we took their stuff.
 - I emptied my pockets and I gave them everything I had.
 - I don't recall the interactions I had with police.
- They took me some weird building downtown.
 - I spent five hours downtown.
- I went to some place to be held, and posted bail at 10 AM.
 - I used my own money to post bail.
- I went to court on Monday.
 - I pled guilty and paid a fine of 150 dollars.

IMPACT

- It all felt like a dream.
- I never want to do it again.
 - I have a lot to lose.
- My parents are helping me.
- I reflected on the situation and it was a mix of two things.
 - One being [REDACTED]'s influence since he kept encouraging me to do it.
 - Second being alcohol.
- I thought about the impact on those I stole from since it was shitty of me to take from someone else.
 - I hate when people take my stuff.
- I learned not drink and if I do to be aware about how much I am drinking. I also learned not to steal.

RESOURCES AVAILABLE:

- Counseling & Consultation Service, <http://ccs.osu.edu/>, 614-292-5766
- Disability Services (accommodations), <http://ods.osu.edu/>, 614-292-3307
- Student Advocacy, <http://advocacy.osu.edu/>, 614-292-1111
- Student Legal Services, <http://studentlegal.osu.edu/>, 614-247-5853
- Student Wellness Center, <http://swc.osu.edu/>, 614-292-4527

THE STUDENT CONDUCT PROCESS AND STUDENT RIGHTS

- **FERPA:** Family Educational Rights and Privacy Act
 - Students have access rights to records and an expectation of privacy.
 - Exceptions to FERPA: 1. Threat of harm; 2. University employees (educational need to know); and 3. Subpoena
 - FERPA can be waived for the following:
 - Advisors; Academic clearances or background checks for employment & licensure; Public Records requests (i.e. crimes of violence/sexual misconduct – the name of the accused can be released).
- **CODE OF STUDENT CONDUCT:** The Code of Student Conduct and additional information can be found on the Student Conduct website: <http://studentconduct.osu.edu>. Questions can be answered by calling 614-292-0748.
- **SEXUAL MISCONDUCT CASES:** The Sexual Misconduct policy is available here: <https://hr.osu.edu/public/documents/policy/policy115.pdf>
- **INVESTIGATION:** A hearing officer (Katie Bailey) will conduct an investigation in regards to this case/incident. An investigation may include the following components:
 - Interviews of the relevant parties

- Witnesses- 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.
 - Collection of relevant information (evidence), such as reports, photos, texts, social media posts
- NOTE:** The hearing officer is a neutral fact-finder and does not serve as an advocate or prosecutor.

- **ADVISORS:** Students may have an advisor of their choice throughout the Student Conduct Process. The advisor can be anyone but the advisor cannot speak on a student’s behalf.
- **STUDENT CONDUCT SYSTEM ABUSE:** This includes retaliation and misrepresentation/falsification of system abuse. Retaliation is a violation of the Code of Student Conduct in itself (policy N5). See University Sexual Misconduct Policy 1.15, page 7, for more information.
- **POLICE REPORT:** Students always have the right to go to the police. Nothing about our process is meant to replace or prevent a criminal investigation.
- **CHARGES:** The hearing officer will determine whether charges are warranted in regards to potential violations of the Code of Student Conduct.
NOTE: If charges are issued, notice of such charges will be delivered in writing.
- **CASE RESOLUTION OPTIONS:** If a student is charged for violating the Code of Student Conduct, the student can resolve their case in three ways:
 1. Accept responsibility and receive an administrative decision/outcome issued by the investigating hearing officer;
 2. Elect to have an Administrative Hearing before another hearing officer;
 3. Elect to have a hearing before the University Conduct Board.
- **HEARING INFORMATION:** At a hearing, students can present relevant evidence and call witnesses with relevant information. Our office will provide written notice of the hearing date and location ten days in advance of the hearing, unless the student waives the ten (10) day notice.
 - Evidentiary standard – preponderance, or the greater weight of the evidence
 - Appeal to the SVPSL: grounds for appeal can be found in the Code of Student Conduct and on our website
- **STANDARD OF EVIDENCE-** A student will only be found in violation if a preponderance of evidence supports the charges.
- **SANCTIONS:** If found responsible or if accepting responsibility for charges issued, sanctions will be issued. A student will only be found in violation if a preponderance of the evidence supports the charges.
 - Sanctions issued include a standing sanction (i.e. Formal Reprimand, Probation, Suspension, or Dismissal).
 - Educational sanctions are issued in conjunction with standing sanctions and may include OSU or community programs/resources, or self-directed assignments.
 - Standing and educational sanctions are progressive in nature.
- **APPEALS:** Appeals are reviewed by the Senior Vice President for Student Life. Grounds for appeal can be found in the Code of Student Conduct and on the Student Conduct website.

NEXT STEPS:

- Katie will send via email meeting notes for your review. Please make any additions or corrections and return edited or approved notes via email.
- Katie will review information available to determine possible violations of Code of Student Conduct
- Contact Katie via phone (614-292-0748) or email (bailey.1347@osu.edu) with any questions or concerns.

This account accurately reflects, in both content and intent, my statements to hearing officer, Katie Bailey. I understand that these notes may be used in a hearing for this (or any future or related) conduct case.

[REDACTED] _____
 Name Signature Date

_____ This statement was taken over the phone

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE & PROCESS FORM

Name: Beta Theta Pi

Email: [REDACTED]

I. Charge(s): You are alleged to be in violation of the following section(s) as listed in the OSU 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.

Specifically, it is alleged that on November 11, 2017, you violated Ohio State's Code of Student Conduct in the following manner:

on November 11, 2017 Beta Theta Pi hosted a party at an annex residence of the organization with approximately 100 guests in attendance. For this event specifically, some of the members brought beer, wine, and champagne to the event ahead of time. The organization shared that for this event there were approximately 15 bottles of champagne, 5 boxes of wine, and 25 cases of Natural Light beer. This amount is able to cover the members and the guests who attend the party.

While at the party hosted by Beta Theta Pi, an underage student was served champagne. This underage student's ability to gain access to alcohol led to adverse effects for them later that day and had the potential of endangering others in attendance also.

Although Beta Theta Pi implemented risk management strategies such as: having sober monitors, having the alcohol behind a bar with a bartender, and using a member of the organization at the door to check identification, the practice of having members from the organization bring large quantities of alcohol to distribute to guests presented a gap in risk management which made it possible for underage individuals to acquire alcohol.

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 28, 2017.**

Signature: _____ Date: _____

November 30, 2017

Beta Theta Pi
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

To the members of Beta Theta Pi,

An Ohio State University staff member provided information to our office that describes conduct by Beta Theta Pi on November 12, 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 December 7, 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 December 7, 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,

A handwritten signature in blue ink that reads "Kelly B. Smith". The signature is written in a cursive style with a large, looped "S" at the end.

Kelly B. Smith, J.D.
Assistant Director

CC: Ryan Lovell - Senior Director of Parent and Family Relations and Greek Life
Jeff Rundle - Executive Director of Beta Theta Pi

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.



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: [Redacted]

Student ID#: [Redacted]

Phone: [Redacted]

Email: [Redacted]

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.



X 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).

Please see attached documents.

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.

[Redacted signature area]

Signature

Date

For Student Conduct Staff:

Received by:

Time

Date Stamp:

Delivered to Appeal Officer

Date



Student Conduct Appeal

My organization, Beta Theta Pi, was found in violation of the student code of conduct. The charges were handed down to us not because we did not have a BYOB system, but because our system was incomplete due to the fact that it did not include a monitoring system for guests and members. Though there were two incidents, we were informed that they would be treated as one case because both of them were for the same infractions and the second incident came just days after our initial student conduct meeting where we learned what we needed to fix within our system and we did not have time to adjust. My concern with the current sanctions is the length. Banning events with alcohol until September and placing us on probation through the fall semester of 2019 does not give us an opportunity to showcase our new BYOB system which was written in accordance to the Office of Sorority and Fraternity Life and JCJB bylaws. One advantage my chapter has, is our very strong and involved advisory board and district chief. They are active in our day-to-day operations and their support will ensure that our new initiatives are implemented immediately, efficiently, and effectively. My chapter is looking for an opportunity to show that we have learned from our mistakes and are dedicated to making effective change within the Greek community.



Recruitment Activities

1. Recruitment Plans:
 - a. Vision Statement
 - i. To recruit 30-35 new members who live and uphold the 5 core values of Beta Theta Pi.
 - b. Healthy and Safe Recruitment Plan
 - i. Beta Theta Pi's Recruitment process is 100% alcohol and substance free. This is absolutely crucial when finding the young men that will well represent our chapter. It is paramount to the potential new members that they are making their future fraternity decisions completely aside from alcohol and other substances.
 - ii. Beta Theta Pi practices zero tolerance hazing policies, throughout our recruitment and new member education process. Hazing violates Beta Theta Pi's core values of responsible conduct, trust, integrity, and mutual assistance.
 - iii. During recruitment all potential new member are informed on our policies regarding hazing and alcohol. During the new member process active members are integrated into each activity, which allows for the new members to get to know them better and feel apart of our chapter. If a new member ever expresses interest in being hazed our chapter leadership addresses it. This takes the form of a conversation, normally between the new member and VP of Education, about how hazing goes against our values as a chapter and as Betas.
 - c. Description of Recruitment Process
 - i. Our recruitment process begins at the university wide Involvement fair. This gives potential new members to learn the basics of what Beta Theta Pi stands for and what it takes to receive a bid to our organization. Rush week is a week long process at the beginning of the spring semester, with each night having an activity where potential new members and active members are able to talk and get to know each other. This provides the potential new members to see if our chapter feels like the right fit for them and our active members an opportunity to gauge whether or not the potential new members are a good fit for the culture of our chapter and if they uphold the 5 core values of Beta Theta Pi.
 - d. Listing of events
 - i. Open House/Info Session/Championship Game Watch Party (1/8/18, 7:30 pm, Beta House): At this event potential new members will attend a brief information session on Beta Theta Pi nationally, our individual chapter, and Ohio State's Greek Life. After this they will be given a tour of our house and be able to ask any questions they may have from the



- information session. After this, potential new members will be welcome to stay and watch the National Championship Game with the chapter, giving both parties an opportunity to get to know each other.
- ii. Pool Night (1/9/18, 7-9 pm, Suzi-Cue's Pool Hall): This event will give potential new members and active members an opportunity to get to know each in a more social setting.
 - iii. Pizza Night (1/10/18, 7-9 pm, Beta House): This will provide a meal for potential members and allow them to get to know more actives in a casual setting.
 - iv. Card Night (1/11/18, 7-9 pm, Beta House): Potential and active members will play no stakes card games where they will be given an opportunity to converse and partake in relaxed games.
 - v. Wing Night (1/12/18, 5-7 pm, Buffalo Wild Wings): This is the last event before our invite only round. This is the last opportunity the chapter has to get know potential new members and decide whether or not they will be a good fit for our chapter.
 - vi. Invite Only Meal (1/13/18, 5-7 pm, World of Beer): The chapter will invite a select few potential new members, all of which will receive a bid by the end of the night. This is an opportunity for the chapter to congratulate the new members.
- e. Available resources for new and current members
- i. National resources: <http://beta.org/resources/chapter-resources/member-recruitment/>
 - ii. National Contact: Brian McKean: brian.mckean@beta.org
 - iii. Reporting Resources:
 - a) <https://my.beta.org/ors/incident-report.aspx>
 - b) <http://beta.org/resources/chapter-resources/risk-management/>



New Member Activities

1. New Member Education Plan

a. Vision Statement

- i. To develop men of principle for a principled life by living Beta Theta Pi's 5 core values.

1. Mutual Assistance – Betas believe that men are mutually obligated to help others in the honorable labors and aspirations of life
2. Intellectual Growth – Betas are devoted to continually cultivating their minds, including high standards of academic achievement.
3. Trust – Betas develop absolute faith and confidence in one another by being true to themselves and others
4. Responsible Conduct – Betas choose to act responsibly, weighing the consequences of their actions on themselves and those around them
5. Integrity – Betas preserve their character by doing what is morally right and demanding the same from their brothers.

- ii. Instruction of new members should include knowledge of the history, lore and laws of the Fraternity to prepare them for active membership. Initiation marks the beginning of many years of continued education and emphasis on living Beta's principles and obligations. Laid out are the 10 goals of New Member Education of the Theta Delta Chapter of Beta Theta Pi.

1. To be interested in learning and understanding the history and lore of Beta Theta Pi.
2. To incorporate the Five Core Values of the Fraternity into the everyday life of every member of the new member class.
3. To begin to form bonds with each other and active members of Beta Theta Pi.
4. For the new member class to represent Beta Theta Pi positively and maturely to The Ohio State University.
5. For the new member class to understand what it means to be Men of Principle.
6. To become comfortable with holding fellow new member class brothers and members of the fraternity to the same principled standard.
7. To learn how to accept diversity and understand how it strengthens the fraternity as a whole.
8. For the new member class to hold the Ohio State Chapter of Beta Theta Pi to its own standard and not to those of other fraternities on campus.



9. To strive to make a positive impact on the fraternity as an individual or as a new member class.
 10. Lastly, for the new member class to feel overwhelming pride when they represent Beta on campus.
- b. Safety & Health Plans
 - i. Our Fraternity believes in allowing every member to realize his full potential. Therefore, we believe that every new member and member should make responsible decisions about alcohol use and the use of prescription or otherwise legal drugs. Each individual bears the personal responsibility to abide by federal, state, and local laws regarding alcohol and drugs; campus policies and rules; and Beta Theta Pi's rules and policies.
 - ii. Beta Theta Pi believes in the inherent worth of all people and that dignity and respect are the inalienable rights of each individual. Therefore, there is no place for personal degradation within our membership. The founding values of Beta show us that every person is important and has value to offer our community; esteem for yourself and others is necessary for healthy relationships; and harassment, hazing, or bullying is detrimental to the full development of our Brothers. Beta supports the preservation of individual dignity and does not condone any activity or behavior that is inappropriate, destructive, demeaning, or abusive to any person or group.
 - iii. Beta Theta Pi prohibits any activity that endangers the mental or physical health or safety of a person and is inconsistent with the values and ritual of Beta or the host campus. Each person bears the personal responsibility to abide by federal, state, and local laws regarding hazing; campus policies and rules; and Beta Theta Pi's national and local rules and policies.
 - c. Description of the new member process
 - i. Full New Member Education Document Attached
 - d. Listing of Events
 - i. Full New Member Education Document Attached
 - e. Available resources for new and current members
 - i. National resources – a lot of great resources on this page (<http://beta.org/resources/chapter-resources/member-ed-ppea/>)
 - ii. National organizational contact – Brian McKean, brian.mckean@beta.org
 - iii. Reporting resources - <https://my.beta.org/ors/incident-report.aspx>
 - f. New member programs, including dates of events and locations will be posted on the SFL website.
 - i. Chapter programs must be approved by the inter/national organization and local advisory group



- g. Any changes to the new member plan must be submitted 5 business days in advance of originally scheduled event date to assure that proper planning of the event can occur and vetting of the event by the above organizations.

 - i. Cancellations of new member activities may happen the day of event; however, it is the obligation of the chapter to notify SFL of such cancellation and the reason for cancellation.
 - ii. Cancellation information, including if there is a plan to reschedule the event, must be sent by email to SFL@osu.edu



Beta Theta Pi Social Action Plan

Spring Semester 2018

Preface:

The purpose of this document is to work in coordination with the Beta Theta Pi Administrative Office and guiding principles, IFC, and the Office of Student Conduct and SFL and The Ohio State University to make sure we, as men of principle, continue to live out our mission and follow the rules set before us accordingly. In addition to this plan, the men of Beta Theta Pi (*Theta Delta*) will abide by all rules set under the Beta Theta Pi Risk Management Policy, as well as, all federal, state, and local laws.

Social Planning & Execution

a) Social Functions

- i. Any and all Beta Theta Pi social events will be registered through IFC and Beta Theta Pi general headquarters.
 - a) Events will be registered a minimum of 1 week prior to their scheduled date.
- ii. The amount of **Group A** events will be limited to just two per semester, regardless of the fact that IFC grants groups to schedules up to five of these type of events.
 - a) Group A events are open events where attendance is expected to surpass 100 attendees.
 - b) This measure is being put in place so that we may operate in adherence to the guidelines set forth by all necessary bodies, in tandem with continual assessment from our own governing body to ensure our practices meet and exceed the standard expectations
- iii. All events will take place at registered annex houses or third party venues approved by FMA.
 - a) Alcohol will be provided at all events through the means of the to be mentioned Alcohol Provision Plan, or by the hosting venue
- iv. Event Rules and Regulations:
 - a) No event hosted will serve alcohol past 1:00 AM
 - b) No event will last longer than four hours
 - c) All time parameters will be strictly enforced

b) Alcohol Provision Plan

- i. Any party or event that has any representation of being associated with Beta Theta Pi will be required to follow federal, state, and local laws, in addition to Ohio State and Beta Theta Pi guidelines, of the use, consumption, and possession of alcohol. This will be done through the BYOB system explained below and any guidelines and rules of Third Party Vendors.
- ii. All men and guest of Beta Theta Pi are expected to follow a system of supplying his or her own alcohol.
 - a) By alcohol, this will be limited to beer, Four Loko, wine, champagne, and any other type of alcohol under 12% alcohol content (anything higher in alcohol content will not be permitted).



- b) No community alcohol, such as kegs will be permitted
- c) In addition, and following IFC protocol, no drinking games will be tolerated.
- iii. Regulations for those whom are 21 years of age and over
 - a) There will be a set time for brothers to drop off their alcohol, which will be checked in by a member and reported onto an Excel sheet, which will include the number of and what beverage(s) they brought. This information will be tracked and the brother is not to be served beyond what they brought (limit not to exceed Beta and OSU risk management policies).
 - b) Wristbands will be provided to people as they enter the party, after his or her ID is checked to confirm they are 21 or older. If they are not 21 or older, they will not be granted a wristband.
 - c) As guests arrive, they will be asked to check in on the guest list and submit their alcohol as well, which will be reported on the Excel sheet.
 - d) When being served a drink, the person (whether a brother or guest) will have to show their wristband to the bartender and select which drink he or she brought, which will then subsequently be marked onto the Excel sheet.
- iv. Post event wrap-up
 - a) After the event is over, the leftover alcohol will be stored and a designated pick up time the next day will be noted for brothers and guests to retrieve their left over alcohol.

Risk Management

- a) **Chapter Presentations around risk management and alcohol education**
 - i. Officer Holbert – Officer of Columbus Police Department
 - ii. Brittany Morgan – Beta (Theta Delta) Advisor of Risk Manager
 - iii. V.P. of Risk Management for Beta (Theta Delta)
 - a. Will provide weekly presentations encompassing a multitude of risk management policies and procedures, as well as continued education
 - b. Will provide a special presentation geared specifically to the potential new members
- b) **Sober Monitors/Security**
 - i. Following IFC rules, there will be one sober monitor per 20 people at an event.
 - a. Sober monitors will be working the door and ensuring that everyone who enters is on the guest list and has brought their own alcohol.
 - b. Sober monitors will be bartending and ensuring the correct alcohol is distributed to the correct guests and brothers.
 - c. A sober executive member will be present at each event. This member will be the first point of contact in any case of emergency.
 - d. All sober monitors will be trained by the Vice President of Risk Management and/or Ohio State officials on their roles and what is expected of them
 - e. Sober monitors will arrive at the event 20 minutes prior to the starting time.
 - f. The guest list will be finalized no later than 24 hours before an event.
 - i. For open events, brothers must submit their guests (whether male or female) within that time manner.
 - ii. Outside guests will be limited to two per brother



- iii. For closed events, other than brothers, the subsequent event partner (most likely another sorority and its members) will be the only others on the list.
 - iv. No person will be permitted inside unless he or she is on the guest list.
 - ii. A transportation sign will be placed with the party's premise with the numbers of OSU security, police, taxi services, and the encouragement of Uber or Lyft.
 - iii. An assortment of food and water will be provided for brothers and guests at all parties.
 - iv. For **Group A** events, outside security will be hired who will run the checking of ID's and the guest list.
- c) **Drug Risk Management**
 - i. Any use, possession, or sale of drugs is illegal and will not be tolerated under Ohio State, Beta Theta Pi, and federal, state, and local laws under any circumstance.
- d) **Medical Emergencies**
 - i. Any medical emergencies (such as bleeding, fainting, vomiting, over consumption, and other items not listed) will result in police being called immediately to the situation for the proper control and handling.
 - ii. After proper handling by the law enforcement, Beta headquarters will be alerted immediately.
 - a. This will include the filing of an incident report and notifying the proper advisors, including the Chapter Counselor.
 - iii. The President and Vice President of Risk Management are to be alerted immediately in any case of medical emergency
 - iv. Brothers are expected to look out for the safety of one another and guests, whether at a party, brotherhood event, philanthropic event, or any other function related to Beta Theta Pi.
- e) **Emergency Management Plan**
 - i. The sober executive board member will be the first point of contact in any emergency and will take control of the situation and assign roles where necessary.
 - ii. Authorities will be alerted immediately and cooperated with, ensuring the safety of all parties is the number one priority.
 - iii. Under the guidance of fraternity leadership and consultation from authorities, university leadership, and or advisors, brothers will also be assigned duties to assist in appropriate response.
 - a. One or more will be asked to monitor the person or issues that has arisen.
 - b. A minimum of one brother will be assigned to each exit to properly assure safety.
 - i. People will be directed out (if needed) and restricted access to the premises of the event.
 - c. One member will be and stay in contact with proper authorities, leaders, and advisors.
 - d. One member will be in contact with a member of Beta headquarters and the chapter counselor or appropriate advisor to alert them of the issue



- iv. Alerting and speaking with everyone else
 - a. Alert the entire fraternity there has been a situation and or crisis that is being handled and ask that they not speak nor speculate on what has happened.
 - b. Fully cooperate with any emergency services, Ohio State officials, and the general headquarters / advisors of the fraternity.
 - c. Any further steps and or guidance from outside authorities, leadership, and resources will be followed and adhered to appropriately.
- f) **Fighting**
 - i. No fighting among brothers with other brothers, guests, and non-guests will be tolerated.
 - ii. If a situation were to arise and depending on the severity, emergency services would be contacted immediately
 - a. An incident report will be filed through Beta's general headquarters and SFL
 - b. Advisors for Beta (*Theta Delta*) will also be contacted and informed
 - c. In addition, a Kai (standards) meeting will be sanctioned for any brother found of this whether associated with a Beta Theta Pi event or not.



February 23, 2018

Beta Theta Pi

Delivered via e-mail to [REDACTED]

Dear [REDACTED]

I have received your appeal of the outcomes that resulted from your chapter's student conduct cases [REDACTED]. The Code of Student Conduct requires that appeals state the basis on which you are appealing each case. Your appeal is based on your claim that the sanctions imposed are grossly disproportionate to the violations committed.

I have reviewed your appeal and all information in these cases and have given your request careful consideration. I do not find the sanctions to be disproportionate to the violations for which your organization was found responsible. I have, therefore, decided to support the decisions that resulted from this process.

If you have questions regarding these cases, please contact Student Conduct.

Doug Koyle
Assistant Vice President
Office of Student Life

cc: Student Conduct

January 25, 2018

Beta Theta Pi
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

January 25, 2018

Dear Beta Theta Pi:

Attached please find the outcome letter for cases [REDACTED] and [REDACTED]



Aaron Reistad
Hearing Officer

CC: Kim Monteaux De Freitas - Director of Sorority and Fraternity Life
Assoc. VP of Student Life - Doug Koyle
Ryan Lovell - Senior Director of Parent and Family Relations and Greek Life
Asst. Dir. of Student Conduct - Kelly Smith, J.D.

Beta Theta Pi Outcome

I am writing with my decision in your conduct case. You accepted responsibility for the following violations 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

In determining the following outcomes, including the length of the probation period and the timing of social privileges, we considered several factors. First, this outcome is the result of two cases: Case Number [REDACTED] (September 30, 2017) and [REDACTED] (November 11, 2017). In both cases, Beta Theta Pi was charged with violating the university alcohol policy and endangering behavior policy, and in both cases, the organization took responsibility. Second, we considered Beta Theta Pi's disciplinary status when the violations occurred. Third, the cooperative spirit the chapter's leadership exhibited throughout the conduct process demonstrated the chapter's desire to be a leader in its community during a time of significant culture change.

Disciplinary Sanction

Your chapter's disciplinary probation is extended through December 16, 2019. 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. This analysis should be based 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. This analysis must be completed by the executive members in consultation with your Chapter Advisor, and be submitted to the national headquarters, Alumni Board, Sorority and Fraternity Life, and Student Conduct.

Your chapter must submit the Risk Management Analysis along with copies of all the applicable policies to Student Conduct, no later than **4:00 PM on March 15, 2018**. Failure to meet this requirement will result in an extension of the prohibition against events with alcohol.

Beta Theta Pi Outcome

Follow up meetings:

Your chapter is required to meet with Aaron Reistad once during each semester of the probationary period (Spring 2018, Fall 2018, Spring 2019, Fall 2019). 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. For each meeting, the President, Vice President, and Risk Manager must be in attendance. These meetings must be scheduled by the chapter by calling 614-292-0748 during normal business hours.

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. This must also identify someone from the national organization who will review the Documentation Plan once a month during the remainder of the 2017-18 academic year and throughout the 2018-19 academic year. The Documentation Plan must address the following specific compliance areas:

Documenting Alcohol

Your chapter must develop a Documentation Plan to describe and count alcohol that allows a comparison after an event. This should compare how much alcohol was present before the event, how much alcohol is left at the end of the event, and saved documentation of the number of drinks served by the bartender(s). Your chapter also must keep a record of alcohol brought to an event and the amount left after the end of the event.

Guest Lists

Your chapter must develop a Documentation Plan for guest lists 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

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, the following expectations must be met:

- 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.

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.

Beta Theta Pi Outcome

Third Party Vendors

Between October 12, 2018 and May 5, 2019, your chapter may have no more than five, third party vendor social events, and no more than one between October 13, 2018 and December 16, 2018.

Additional Items

Here are additional examples of what a good 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
- Alcohol identification (type, amount, and duration) consumed and left over after an event
- Guest lists
- Receipts for food, water, non-alcoholic beverages

Your chapter's Documentation Plan is due by 4:00 PM on March 15, 2018 to Student Conduct.

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 any third-party vendor location social. 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.

Please also note that should your national organization require smaller member to guest ratios for events with alcohol, this decision letter does not change the rules and regulations set forth by the national organization.

Beta Theta Pi Outcome

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 September 22, 2018

During this social event, alcohol is permitted with a maximum 1:1 member/non-member ratio (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. This event must be communicated with your Sorority and Fraternity Life contact 72 hours prior to its occurrence. 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 October 5, 2018

During this social event, alcohol is permitted and your chapter may not exceed a 1:2 member/non-member ratio (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. This event must be communicated with your Sorority and Fraternity Life contact 72 hours prior to its occurrence. Your chapter is eligible to host member only, 1:1, and 1:2 events with alcohol from October 6, 2018 onward.

Beta Theta Pi Outcome

Event Four - 1:3 Ratio Member/Non-Member Event – Permissible on or after November 1, 2018

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. This event must be communicated with your Sorority and Fraternity Life contact 72 hours prior to its occurrence. Your chapter is eligible to host member only, 1:1, 1:2, and 1:3 events with alcohol from November 1, 2018 onward.

Chapter Presentation to Stakeholders

After the Fall 2018 semester has begun and before October 1, 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.

Summary of Dates

- Disciplinary Probation: January 25, 2018 – December 16, 2019
- Risk Management Analysis Summary due – March 15, 2018
- Documented Compliance Plan due – March 15, 2018
- Progressive Return of Social Privileges
 - First event with alcohol present – members only – September 8, 2018
 - First event with guests 1:1 ratio – September 22, 2018
 - First event with guests 1:2 ratio – October 5, 2018
 - First event with guests 1:3 ratio – November 1, 2018
 - Presentation to Stakeholders – October 1, 2018

Beta Theta Pi Outcome

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 I no longer be employed by Student Conduct, or if my role were to change, another staff member will monitor sanction completion. To account for such a change, please include the general Student Conduct email address on all of the sanction items described in this letter. That address is: studentconduct@osu.edu.

Appeal

Because your chapter accepted responsibility, you may only appeal on the basis that the disciplinary sanction imposed is grossly disproportionate to the violation committed. To do so, you must submit your appeal in writing, directed to the Senior Vice President for Student Life, no later than **4:00 pm on Thursday, February 1, 2018**. Use the online appeal form found at <http://studentconduct.osu.edu/for-students/understanding-the-student-conduct-process/appeals/> to submit your appeal. You may also submit a written appeal using the form attached to this letter. Please turn in that signed form 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.

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. 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.

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.