



THE OHIO STATE UNIVERSITY

Type: **Hazing**
Urgency: **Normal**

Incident Date: **2017-09-29**
Incident Time: **7:00 PM**
Incident Location: **Off Campus 200 E 15th Avenue**

Reported by

Name:
Title:
Email:
Phone:
Address:

[UNAUTHENTICATED]

Involved Organizations/Individuals

Pi Kappa Phi ()
Alleged

200 E 15th Avenue

Questions

Please provide a description of the incident(s). Try to include as much detail as possible, including the name(s) of those present and/or involved, date(s) and time(s), location(s), etc.

I would like to provide information to the university anonymously. I am in Pi Kappa Phi, and I live in the chapter house, and I have seen escalating hazing that alarms myself. The date and time I have listed was the last "big-little night" we had. During this event [REDACTED] had associate members, also known commonly as pledges by the brothers around here, be blindfolded and taken around the house. During the last part, they brought them in front of [REDACTED] which I mentioned earlier was [REDACTED] at the time. He yelled at them if they didn't get the next 3 questions right they would be kicked out and could never return. The questions were total BS that no one would ever know, and if someone guessed it right, the person was still screamed at for having a wrong answer. After the first wrong answer people would start heckling the blindfolded pledge with racial and insensitive slurs, then they would force the blindfolded pledge to stick out his arms straight and hold a rock. They would add one subsequent rock for each of the next wrong answers. Once the kid could no longer hold the rocks and his arms were falling, the big would come in and be like "i got you" or something along those lines. After every pledge went, an alarming drinking contest takes place. Each family has their own family drink and the goal is to be the first one done with all their alcohol. This has gotten so bad people started early this past big-little night and we had someone puking before the ritual was even over. In addition, there are many other alarming actions I have witnessed, but I don't think I need to repeat the general theme. I will say the most screwed up thing I've seen is the active members making their little buy them stuff like juul pods, food, dildos, etc. on initiation day in order for them to be initiated.

Is the hazing that you have experienced or witnessed ongoing/currently occurring?

Yes

What is your desired outcome in making this report?

I want to provide info to help quickly resolve indefinite suspension on IFC chapters. Plus, I'm just sick and tired of people in power taking advantage of those who are vulnerable. I've provided a screenshot from our shared calendar that week to show I am in Pi Kapp.

Do you understand that submitting an anonymous report may limit Student Conduct's ability to fully investigate or adjudicate reports of hazing?

Yes

Attachments

screenshot20171117at10.33.24am.png

Pending IR #00021094

Submitted from 140.254.77.194 and routed to Jeffrey A. Majarian (Assistant Director). Processed by routing rule #68.

Copies to: smith.4941@osu.edu

September 2017

Sun 24

Mon 25

Tue 26

Wed 27

Thu 28

Fri 29

Sat 30

all-day

Noon

1 PM

2 PM

3 PM

4 PM

5 PM

6 PM

7 PM

8 PM

9 PM

10 PM

11 PM

12 PM (12 P...)
Rallycap Je...

5 PM
IFC Zone Day

7 PM
Exec 200 E...

8 PM
**Subordinate
Ritual**

7 PM
Chapter RP...

7 PM
**Subordinate
Ritual**

11 AM
**Gamma Phi
Soccer**

7:30 PM
DOK Prega...

8:30 PM
**DOK TG
Midway**

November 30, 2017

Pi Kappa Phi

Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

To the members of Pi Kappa Phi,

An Ohio State University Student provided information to our office that describes conduct by Pi Kappa Phi on or around September 29, 2017. I am investigating whether this conduct may have violated the following sections of the university's 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
- 3335-23-04 (M): Hazing: Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group, that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form.

As a leader of the organization, you must contact Student Conduct by December 7, 2017 to schedule a preliminary conference with me. During this conference, I will explain and answer your questions about the Student Conduct process. I will give you an overview of the allegations and explain the anticipated timeline for our investigation, which will include meetings multiple members and all of the new members. **Please note that any attempt to discourage participation or to influence members to provide distorted, false or misrepresented information could be considered Student Conduct System Abuse, which is prohibited by Section 3334-23-04 (N) of the Code of Student Conduct.**

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 and is positioned above a light gray rectangular box.

Kelly B. Smith, J.D.
Assistant Director

CC: Ryan Lovell - Senior Director of Parent and Family Relations and Greek Life

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 27, 2018

Pi Kappa Phi
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear Pi Kappa :

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, replying to this email stating the choice you have selected, or drop it off in person. This form is due by 4:30 p.m. on March 1, 2018. 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.
Director

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE & PROCESS FORM

Name: Pi Kappa Phi

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 (M): Hazing: Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group, that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form.

Specifically, it is alleged that on September 29, 2017, you violated Ohio State's Code of Student Conduct in the following manner:

Providing alcohol to new members as a “family drink.” New members were expected to serve as sober monitors and clean the fraternity house. Blindfolds being used on new members while being guided around the house. New members being required to hold rocks while wearing a blindfold. New members being required to purchase certain items for current members such as Taco Bell, Dildos, jewel pods, a phone charger, sausage links, and photoshopped images,

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 4:30 pm on **March 1, 2018**.

Signature: _____ Date: _____

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE & PROCESS FORM

Name: Pi Kappa Phi

Email: [REDACTED]

I. Charge(s): Pi Kappa Phi is 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 (M): Hazing: Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group, that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form.

Specifically, it is alleged that during fall 2017 semester, Pi Kappa Phi engaged in some or all of the following practices:

- Encouraging, allowing or permitting new members (most under the age of 21) to consume alcohol during formal and informal events and activities, including a "family drink" associated with Big/Little reveal
- Requiring or encouraging new members to clean the house or serve as sober monitors, in part because of their new member status
- Using blindfolds on new members as they are guided through the house, including down a flight of stairs
- Requiring new members to hold rocks in a manner that could have resulted in stress or strain
- Requiring or encouraging new members to purchase items for current members, including food, jewel pods, phone chargers and on one occasion, a dildo.

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 4:30 pm on **March 5, 2018.**

Signature: _____ Date: _____

February 27, 2018

Pi Kappa Phi
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]
[REDACTED]

As I explained via our email exchange today, I am retracting the Charge and Process Form (CPF) sent to [REDACTED] earlier today. Attached is a corrected CPF. I will send a separate letter with a link to the investigation packet tomorrow. If you have questions after reviewing that packet, please call 614-292-0748 and ask to speak with me or my colleague Aaron Reistad.

Once you have selected your resolution option, please complete the form and email it directly to me. You may also fax it to 614-292-2098, or drop it off in person. This form is due by 4:30 p.m. on March 5, 2018. Failure to return this form by the stated deadline will result in an Administrative Hearing.

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.

Again, please call or email me with questions or concerns.

Sincerely,



Kelly B. Smith, J.D.
Director

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

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE & PROCESS FORM

Name: Pi Kappa Phi

Email: [REDACTED]

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Specifically, it is alleged that during fall 2017 semester, Pi Kappa Phi engaged in some or all of the following practices:

- Encouraging, allowing or permitting new members (most under the age of 21) to consume alcohol during formal and informal events and activities, including a "family drink" associated with Big/Little reveal
- Requiring or encouraging new members to clean the house or serve as sober monitors, in part because of their new member status
- Using blindfolds on new members as they are guided through the house, including down a flight of stairs
- Requiring new members to hold rocks in a manner that could have resulted in stress or strain
- Requiring or encouraging new members to purchase items for current members, including food, jewel pods, phone chargers and on one occasion, a dildo.

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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 4:30 pm on **March 5, 2018.**

Signature: _____ Date: _____

February 27, 2018

Pi Kappa Phi

Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

[REDACTED]

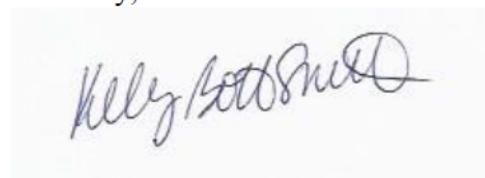
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Again, please call or email me with questions or concerns.

Sincerely,



Kelly B. Smith, J.D.
Director

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

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE & PROCESS FORM

Name: Pi Kappa Phi

Email: [REDACTED]

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_____ 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.**

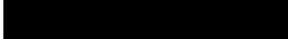
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III. Possible Sanctions: If you are found in violation, please understand that you may be subject to formal reprimand, disciplinary probation, suspension, dismissal or any other sanction or combination of sanctions in the Code of Student Conduct.

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 4:30 pm on **March 5, 2018.**

Signature: _____  _____ Date: Mach 5, 2018



Student Conduct Case Response

4 March 2018

██████████
██████████

Ms. Kelly Smith,

On behalf of the Executive Council, I would like to thank you for the time that you have devoted in working with The Alpha Nu Chapter of Pi Kappa Phi Fraternity regarding our Student Conduct Case. Your devotion to hearing all relevant pieces of information is greatly appreciated, and we believe it has been a constructive process for our organization. As stated in the response to the charge form, the organization accepts responsibility for violating the sections of the Ohio State University Code of Student Conduct listed, and thus request an Administrative Decision. With this decision, we would like to provide a few final thoughts and points of clarity regarding each allegation, as well as a few requests for the Office of Student Conduct as a final decision is made. By doing so, we hope to bridge any gaps in interpretation, expectations, and reinforcement to ensure that the chapter is operating in a way beneficial manner following this case.

I would first like to make a few notes regarding each of the alleged practices that have been cited in the investigation packet. They are as follows:

- While the organization did permit members to consume alcohol following the Big Brother/Little Brother Subordinate Ritual, the chapter has always carried out this event to ensure that our members are safely enjoying their evening. A massive and comprehensive risk management plan is carried out, members must sign in and out of the event, alcohol is served from a bar, no celebrations are allowed to partake in personal rooms of the chapter facility, and everyone is limited to an amount of drinks. Pizza, Jimmy John's, and water has traditionally been provided for the event. This semester, Big Brother/Little Brother Subordinate Ritual was followed up with a strict, no drinking policy that the chapter upheld and stayed true to.
- While new members are required to clean the chapter facility and sober monitor social events, these are requirements and expectations of our active members, as well. Active members clean and sober monitor at a directly proportional amount as associate members of the organization. We believe that taking care of our chapter facility and fulfilling shifts of sobriety are obligations of all associate members to join the fraternity, as well as an obligation of all active members to continue their membership in the fraternity.
- While blindfolding new members does occur, the process itself is based on values and lessons that we find important to our fraternity. Associate members are blindfolded prior to each subordinate ritual. Before being blindfolded, the Ritual Coordinator asks each associate member "do you trust me?" If the associate answers yes, he is blindfolded. If the associate answers no – which has never happened in the re-chartering history of Alpha Nu – the associate is not blindfolded, and the Ritual Coordinator immediately schedules a meeting with the associate to reaffirm his trust, explain the proceedings of the rituals, and to assure him that his safety and constructive education is of primary importance. After being blindfolded, the associate member is guided by an active member down the stairs. The active holds onto the associate member, warns him of each step, and continually reassures the associate that he can trust the active. Once the associate is

seated at the bottom of the stairs, the blindfold is removed. We believe that this piece of the ritual serves great importance, as it symbolizes the guidance that an active member can provide an associate member who is seeking to find brotherhood and membership within our organization.

- The rocks held during Big Brother/Little Brother Subordinate Ritual derive directly from the “Crane Ritual,” a ritual that comes directly from our National Ritual Coordinator Handbook. As associates incorrectly answer questions about the history of Pi Kappa Phi, they hold a rock. Once their associate membership is at stake with a final question, the Big Brother answers it and relieves the associate member of the rocks. This ritual symbolizes that, while we will all fail in our duties as a brother, student, or citizen, there will always be a brother – specifically Big Brother – who will be there to alleviate you of the weight and provide assistance.
- A gift exchange prior to Ritual of Initiation has long been a tradition of the chapter. During my associate membership, as well as proceeding associate memberships, exchanges have been lighthearted in manner. Some members have taken it serious, such as a letter to the brotherhood on why you should be initiated. Others have made it less serious, such as a pillow case or a print of Tom Brady’s head photo shopped onto an Ohio State quarterback’s body. To the knowledge of leadership within the organization, the egregious gifts, expensive purchases, and embarrassing items were not known of until the survey questionnaire was provided to associate members. Upon discovering this, an internal investigation occurred, and several individuals have now been held accountable by our Standards Board, resulting in suspension for the remainder of the semester and a requirement to attend New Member Education to relearn the values of Pi Kappa Phi. With that, leadership acknowledges that even the original, smaller exchanges that the tradition derived from can certainly fall somewhere on the spectrum of hazing. As of this semester, leadership is committed to abolishing the gift exchange. This expectation has been communicated to the chapter at a mass level, and any attempts at continuing the exchange will be met with harsh repercussions.

In wrapping up this investigation and moving towards an Administrative Decision, I believe that it would be beneficial if we are able to sit down for a discussion. Specifically, there are at least facets of some of the allegations that we find productive and would like to continue, such as blindfolding, sober monitoring and cleaning shifts, and the general procedures of the Big Brother/Little Brother Subordinate Ritual itself (excluding the post ritual celebration). I believe it would be useful to have a clarifying discussion on the topics mentioned above as to find some common ground and understanding. While we find some of these expectations and traditions constructive, we understand that the University and Office of Student Conduct may shed a different light on it, and we want to be sure we are operating in a manner that suits the expectations of our organization.

Finally, as the Office of Student Conduct drafts an Administrative Decision, the Alpha Nu Chapter and Pi Kappa Phi Nationals would like to be involved in the discussion regarding potential sanctions. I – as well as representatives at the national headquarters who operate closely with the organization – believe that we have a valuable understanding for what would be beneficial and constructive in terms of helping Pi Kappa Phi Fraternity retain desirable operations beyond this era of members.

Again, thank you greatly for taking all things into consideration and for making this investigation process smooth and inclusive.

Sincerely,

A large black rectangular redaction box covering the signature and name of the sender.

March 23, 2018

Pi Kappa Phi
[REDACTED]

RE: [REDACTED]

[REDACTED]

I am writing with my decision in your conduct case. Your chapter accepted responsibility for the following violations of the Code of Student Conduct:

3335-23-04 (M): Hazing: Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group, that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form.

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

I considered the following factors in determining appropriate sanctions:

- Pi Kappa Phi's recent conduct history
- Pi Kappa Phi's cooperative spirit throughout the conduct process
- The severity of the violations when considered on a continuum

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.

Disciplinary Sanction

Your chapter's disciplinary probation is effective immediately through December 15, 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

The Mask You Live In

The Greek community at Ohio State has been at the forefront of culture change on several important issues. This sanction asks your chapter to consider current concerns regarding "traditional" masculinity norms and how those norms affect the culture and the health, safety and wellness of all genders and sexes. To this aim, your chapter must arrange a screening of [The Mask](#)

You Live In. A local or national advisor must be present. Additionally, one or more of the following must also be present for the screening:

- Sorority and Fraternity Life (“SFL”) staff member
- Student Conduct staff member
- University faculty member from a discipline qualified to comment on the subject matter of the film

After the screening, this individual or individuals will facilitate a discussion with your chapter that includes:

1. Identify cultural, societal or other changes that could address the harms caused by the description of masculinity the film describes.
2. Understanding that the university’s policy prohibiting hazing covers a wide continuum of behavior, some that can seem innocuous to many members, consider why under University policy, “voluntariness” is not a “defense” to hazing. What parts, if any, of the film could you use to explain this policy?
3. If you were a researcher, how would you design an experiment to test the theory that positive, inclusive team-building/bonding rites of passage are more likely reduce the effect of toxic masculinity in our culture.

Your chapter will prepare a 30 minute presentation summarizing the film and the resulting discussion. Please prepare slides and/or other materials for 10 - 15 minutes. The remaining 15 - 20 minutes is reserved for follow-up questions and dialogue.

While your entire membership should contribute to creation of the presentation, only the executive board will give the presentation to staff members from Student Conduct and SFL. You must call 614-292-0748 to schedule your presentation at least two weeks in advance of your intended presentation date.

This presentation must be given before September 30, 2018. Your chapter must bring an attendance list of the members present for the viewing of the film and subsequent discussion. Members not present must provide an explanation of their absence.

Membership Review

Your chapter must conduct a review of each member of the chapter. This review will consider, at a minimum, each member’s

- amount and type of chapter participation and contribution
- prior misconduct and behaviors which put the chapter at risk
- responsibility for the behavior included in the charge and process form (“requiring or encouraging new members to purchase items for current members, including food, jewel pods, phone chargers and on one occasion, a dildo)

Conduct this review in coordination with your Alumni Board, Chapter Advisor, and/or a National/Regional Representative(s).

Your chapter must submit a summary of this review to Student Conduct and the Director of Sorority and Fraternity Life before May 1, 2018. Include the following in the summary:

- when the review took place
- the names and contact information of those individuals who assisted your chapter with the review
- the number of members whose status was affected as a result of the review
- a brief description of how the organization will use the results of this review as it moves forward with creating a purposeful new membership process.

Practice and Policy Review

First, your chapter must identify and contact a representative from your organization's national headquarters to guide your chapter through a practice and policy review. This representative should visit your chapter in person at least once prior to December 31, 2018 and should meet with an SFL staff member in person or over the phone at least once prior to December 31, 2018.

Second, your chapter must identify all applicable policies, guidelines and expectations placed on your chapter by your national organization, FIPG, IFC, Sorority and Fraternity Life, and the Code of Student Conduct ("Policies").

Third, with the assistance of your national representative, local advisor and/or SFL staff member, review your chapter's

- recruitment and new member education standards
- new member education curriculum
- risk management plans for social and other events with alcohol

and revise each to align with

- your chapter and organization's values
- lessons learned from the *Mask You Live In* activity and the membership review
- the policies gathered above

Transition Binder

Package all of the revised standards, curriculum and plans together with copies of the policies into a Transition Binder that you will pass onto the next class of officers/E-Board members.

Review this Transition Binder with a member of the SFL staff before October 1, 2018. Make any changes or additions identified as necessary during that meeting and deliver a final copy of the

Transition Binder to Student Conduct by October 19, 2019. Review the Transition Binder with the representative from Pi Kappa Phi Headquarters who you have visit and implement any additions or modifications they deem appropriate.

EXCEPTION: Your chapter must submit the **New Member Recruitment/Education Plan and Curriculum** portion of the Transition Binder to SFL and Student Conduct before August 1, 2018.

Follow Up Meetings

In addition to your regular communication with your contact in Sorority and Fraternity Life, your chapter must meet with Aaron Reistad from Student Conduct once during each semester of the probationary period (Spring 2018, Autumn 2018, Spring 2019, Autumn 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. The President, Vice President, and Risk Manager must attend each meeting. Call 614-292-0748 during normal business hours to schedule these meetings.

Summary of Dates

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

- Disciplinary Probation – Effective immediately through December 15, 2019
- Screening of The Mask You Live In and presentation to stakeholders – September 30, 2018
- Membership Review Summary – May 1, 2018
- Follow up meetings – Once a semester (Spring 2018, Autumn 2018, Spring 2019, Autumn 2019)

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

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 p.m. on March 30, 2018. Use the online appeal form found at <https://go.osu.edu/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.

Sincerely,

Aaron Reistad
Hearing Officer

cc: Kim Monteaux De Freitas – Director of Sorority and Fraternity Life
Ryan Lovell – Sr. Director of Parent and Family Relations and Greek Life

March 23, 2018

Pi Kappa Phi
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

March 23, 2018

[REDACTED] Attached please find the decision letter regarding case [REDACTED]



Kelly B. Smith, J.D.
Director

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

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 _____

March 23, 2018

Pi Kappa Phi
[REDACTED]

RE: [REDACTED]

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Sincerely,

Aaron Reistad
Hearing Officer

cc: Kim Monteaux De Freitas – Director of Sorority and Fraternity Life
Ryan Lovell – Sr. Director of Parent and Family Relations and Greek Life