

The Ohio State University
Complaint

Submitted on January 17, 2019 at 4:57:38 pm EST

Nature: **Endangering behavior**
Urgency: **none**
Incident Date and Time: **2019-01-10 2:00 AM**
Incident Location: **On campus Lane Avenue Parking Garage**

Reported by

Name: **Robert A. Cunningham**
Title: **Assistant Professor of Aerospace Studies**
Email: **cunningham.206@osu.edu**
Phone: **2-5441**
Address: **2121 Tuttlepark Place, Columbus, Ohio 43210**
[Authenticated as Robert A. (Bo) Cunningham]

Involved Parties

| | | | |
|-------------------------------------|------------|------------------------|------------|
| Robert Cunningham [REDACTED] | [REDACTED] | Cunningham.206@osu.edu | 6142925441 |
| Reporter | Male | Converse Hall | |
| [REDACTED] () | [REDACTED] | [REDACTED] | |
| Alleged | [REDACTED] | | |
| [REDACTED] () | [REDACTED] | | |
| Alleged | [REDACTED] | | |
| [REDACTED] () | [REDACTED] | | |
| Alleged | [REDACTED] | | |
| [REDACTED] () | [REDACTED] | | |
| Alleged | [REDACTED] | | |
| [REDACTED] () | [REDACTED] | | |
| Alleged | [REDACTED] | | |
| [REDACTED] () | [REDACTED] | | |
| Victim | [REDACTED] | | |
| [REDACTED] () | [REDACTED] | | |
| Victim | [REDACTED] | | |
| [REDACTED] () | [REDACTED] | | |
| Victim | [REDACTED] | | |

Narrative Information and Notifications

Please provide a description of the incident.

Pershing Rifles Pledging Event:

A 2-hour physical training session was held from 2:00 – 4:00 am on 10 January 2019 for three pledges. During this intense training one pledge fell-out of training; when she regained consciousness she continued and finished the workout.

I believe this event is in violation of the university student code.

As of 17 January 2019:

1. Removed the president and vice president from their leadership position within the student organization.
 - a. Both were present during the pledging process
 - b. In addition to being present during pledging activities, they did not follow an acceptable course of action when a pledge was unable to complete the fitness activities.
2. Discontinued all pledging activities for SP19
3. Considering pulling the organization out of a national event scheduled for March 2019.

What other departments have been notified?

Other Student Life or university department or office

If you would like to provide additional information about others notified, such as the name of the department or of a specific individual, you may do so here:

Jen Pelletier, Associate Director, Student Activities was notified on 15 January 2019

Dr. Beth Hume, Dean of Undergraduate Education was notified on 15 January 2019

Mike Carrell, Director, Office of Military and Veterans Services on 15 January 2019

If you are submitting this report anonymously, please consider also using the university's anonymous reporting line described above.

If you are only submitting this form, understanding our ability to fully investigate is limited, what do you hope will result from your report?

Pending IR #00026138

Submitted from 128.146.111.176 and routed to Kelly B. Smith, J.D. (Director). Processed by routing rule #81.

Copies to: reeb.47@osu.edu

The Ohio State University
Complaint

Submitted on January 17, 2019 at 4:57:38 pm EST. Last modified January 17, 2019 at 5:22:41 pm EST.

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Reported by

Name: **Robert A. Cunningham**
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Email: **cunningham.206@osu.edu**
Phone: **2-5441**
Address: **2121 Tuttlepark Place, Columbus, Ohio 43210**

Involved Parties

| | | | |
|---|--------------------------|---|------------|
| Robert Cunningham [REDACTED] Reporter | [REDACTED] Male | Cunningham.206@osu.edu Converse Hall | 6142925441 |
| [REDACTED] ([REDACTED]) Alleged | [REDACTED] [REDACTED] | [REDACTED] [REDACTED] | |
| [REDACTED] ([REDACTED]) Alleged | [REDACTED] [REDACTED] | [REDACTED] [REDACTED] | |
| [REDACTED] ([REDACTED]) Alleged | [REDACTED] [REDACTED] | [REDACTED] [REDACTED] | |
| [REDACTED] ([REDACTED]) Alleged | [REDACTED] [REDACTED] | [REDACTED] [REDACTED] | |
| [REDACTED] ([REDACTED]) Alleged | [REDACTED] [REDACTED] | [REDACTED] [REDACTED] | |
| [REDACTED] ([REDACTED]) Victim | [REDACTED] [REDACTED] | [REDACTED] [REDACTED] | |
| [REDACTED] () Victim | [REDACTED] [REDACTED] | [REDACTED] [REDACTED] | |
| [REDACTED] ([REDACTED]) Victim | [REDACTED] [REDACTED] | [REDACTED] [REDACTED] | |

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If you are only submitting this form, understanding our ability to fully investigate is limited, what do you hope will result from your report?

Pending IR #00026138

Submitted from 128.146.111.176 and routed to Kelly B. Smith, J.D. (Director)

Modified by Kelly B. Smith, J.D. on January 17, 2019 at 5:22:41 pm EST from 65.60.219.134

January 18, 2019

Pershing Rifles Company A-1

Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED] and members of the Pershing Rifles Company A-1,

Student Conduct has received information that describes conduct by the Pershing Rifles Company A-1 on January 10, 2019. The report details concerns that members allegedly encouraged or required pledges to participate in activities which could result in physical or mental harm. I am investigating whether this conduct may have occurred and violated the following sections of the university's 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.

I am directing the Pershing Rifles Company A-1 not to hold any pledging or new member activities, or communicate with any of the current pledges or new members, until further notice. You may, in consultation with your organization's advisor, notify your pledges/new members by email that activities have been put on hold until further notice. If you choose to send this email, you must forward a copy to me at reistad.1@osu.edu.

As a leader of the organization, you must contact Student Conduct **as soon as possible**, and no later than January 23, 2019, 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. Please submit any relevant materials (including your own written statement, text messages, photos, emails, etc.) by email to me at reistad.1@osu.edu prior to our meeting.

You must bring the following information with you to the meeting, or you may submit it prior:

- Current member list detailing roles within the organization
- Current list of active pledges
- A list of all recruitment activities and new member education

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 January 23, 2019 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 cursive script that reads "Aaron Reistad". The signature is written in dark ink and is positioned below the word "Sincerely,".

Aaron Reistad
Conduct Case Manager

CC: Advisor- Orlando Soto
Assoc. Director Student Activities - Jen Pelletier

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 15, 2019

Pershing Rifles Company A 1

Sent electronically to [REDACTED] and [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear Pershing Rifles Company A 1:

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.

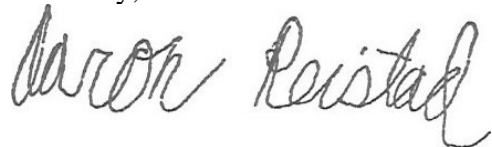
I have attached your Charge and Process form to this email. Please review it carefully, select your resolution option, then sign and date the bottom of the form.

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/>.

Once you have completed the form, you may scan and email it directly to me, fax it to my office at 614-292-2098, or drop it off in person. This form is due by 4:30 p.m. on February 22, 2019. 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,



Aaron Reistad
Conduct Case Manager

CC: Julisa Muriel
Bo Cunningham

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE & PROCESS FORM

Name: Pershing Rifles Company A 1

Email: [REDACTED] and [REDACTED]

I. Charge(s): The Pershing Rifles Company A 1 is alleged to be in violation of the following section(s) as listed in the OSU 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 (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 throughout the Autumn 2018 semester and specifically on January 10, 2019, the Pershing Rifles Company A 1 violated Ohio State's Code of Student Conduct in the following manner:

Required and/or encouraged new members to:

- Complete various forms of calisthenics, including but not limited to, running, push ups, sit ups, pull ups, air squats, lunges, stadiums, burpees, and swimming. While a current member might join in for various workouts, the pledges were required to participate in all workouts.
- Dress up in costumes related to a Toy Story theme and wait in a specific place where they would be picked up by current members then taken to Olive Garden to eat dinner with the members. New members were not made aware of the activity and were expected to pay for their own meal.
- Possess a rock, broken brick, and whole brick at all times. Between the three new members at least one of them was expected to carry around a cinder block.
- Obtain signatures as a new member group from approximately 21 current members in a period of 1.5 weeks.
- Obtain and bring items to meetings such as: fresh maple leaf, one uncooked piece of spaghetti, a red bow tie, and a can of La Croix.
- Participate in "Gig Night" which was held between 2:00 am – 4:00 am on January 10 and included a variety of calisthenics. During this event a new member passed out as a result of the calisthenics. Following this new member passing out, current members checked on them, and eventually the new member was allowed to continue with the calisthenics of "Gig Night."

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.

This form is due by 4:30 pm on **February 22, 2019.**

Signature: _____ Date: _____

March 1, 2019

Pershing Rifles Company A 1
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED]:

Attached please find the outcome letter regarding the Pershing Rifles Company A 1 case.

Thank you,

Aaron Reistad



Aaron Reistad
Conduct Case Manager

CC: Julisa Muriel
Bo Cunningham
Jimmy Reaves

March 1, 2019

Pershing Rifles Company A 1

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED] and members of Pershing Rifles Company A 1,

I am writing with my decision in your conduct case. Your organization 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 (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 was alleged that throughout the Autumn 2018 semester and specifically on January 10, 2019, the Pershing Rifles Company A 1 (hereafter referred to as PRC) violated Ohio State's Code of Student Conduct in the following manner:

Required and/or encouraged new members to:

- Complete various forms of calisthenics including but not limited to running, push ups, sit ups, pull ups, air squats, lunges, stadiums, burpees, and swimming. While a current member might join in for various workouts, the pledges were required to participate in all workouts.
- Dress up in costumes related to a Toy Story theme and wait in a specific place where they would be picked up by current members then taken to Olive Garden to eat dinner with the members. New members were not made aware of the activity and expected to pay for their own meal.
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- Obtain and bring items to meetings such as: fresh maple leaf, one un-cooked piece of spaghetti, a red bowtie, and a can of LaCroix.
- Participate in “Gig Night” which was held between 2:00 am – 4:00 am on January 10, 2019 and included a variety of calisthenics. During this event a new member passed out as a result of the calisthenics. Following this new member passing out, current members checked on them, and eventually the new member was allowed to continue with the calisthenics of “Gig Night.”

I considered the following factors in determining appropriate sanctions:

- PRC’s recent conduct history
- PRC’s cooperative spirit throughout the conduct process
- The severity of the violations when considered on a continuum
- PRC's expressed areas of growth and learning

Disciplinary Sanction

Your organization’s disciplinary probation is effective immediately through December 20, 2020. Probation is a heightened state of warning that does not otherwise control or direct your organization’s functioning. Rather, probation supports the organization’s efforts to avoid additional violations, which could result in further disciplinary action including extended probation, suspension, or dismissal.

Educational Sanctions

Reviewing New Member Process

To support your organization in examining current practices in recruitment, new member education, and how these practices align with university expectations—you will meet with a member of the [Student Activities](#) staff to review your current recruitment and new member education process, and discuss changes you have made in your organization based on this incident.

During this meeting a member of the Student Activities staff will be able to speak about safe practices in recruitment, provide tips and strategies in revising your current practices, discuss training opportunities and resources available to PRC, and answer questions about how to put new ideas into action. The president and three additional members of PRC are required to attend this meeting.

To schedule this meeting, please contact the Associate Director of Student Activities, Jen Pelletier (pelletier.17@osu.edu) no later than March 17, 2019. In your email please include the dates and times which work for the members of PRC. This meeting must take place no later than April 1, 2019. Once the meeting is complete I will need a confirmation email from the staff member confirming completion of the meeting.

New Member Curriculum

Your organization will work with your advisor and Student Activities to establish new standards, expectations, and curriculum which will be used if you choose to continue having a new member process. Using this experience and the lessons your organization has taken away from it, PRC will summarize:

- the areas of strength and growth the chapter has when it comes to the new member process
- the organization's understanding of hazing and recommendations on how future members can avoid the same mistakes
- changes that were made to the new member process

This summary and your new curriculum is due to me by April 30, 2019.

Hazing and Policy Awareness Presentation

Your organization expressed a desire to educate members regarding what has been learned through this process. As such, following your meeting with Student Activities and your completion of the new member curriculum, your organization will give a 45 minute presentation to staff from Student Conduct, Student Activities and your advisor(s) on the following topics:

- What is the history, values, and purpose of PRC?
- What is the university's hazing policy and how can a member identify hazing?
- How does hazing impact an organization?
- How does PRC plan to bring new members into the organization in a meaningful way, while staying true to the values of the organization and eliminate any form of hazing?
- What expectation does PRC have for current members when bringing new members into the organization?
- What are your recommendations on how Student Conduct and Student Activities can continue to educate and support student organizations regarding university policies (e.g., hazing, alcohol, drugs, etc.) and other student organization policies?

This presentation must occur no later than May 30, 2019. Please prepare slides and/or other materials for a 25 minute presentation. The remaining 20 minutes is reserved for follow-up questions and dialogue. While your entire membership should have the opportunity to contribute to the presentation, your leadership team is required to attend the presentation.

Please contact me at reistad.1@osu.edu or 614-292-0748 to schedule your presentation at least two weeks in advance of your intended presentation date.

Following your presentation to Student Conduct and Student Activities you will give the same presentation to the entire membership of PRC. During this presentation you do not need to speak about point number 6 listed above. You will use the 20 minutes after the presentation for questions and dialogue.

Your advisor must be in attendance for the presentation to your organization. A minimum of 80% of the organization must be in attendance when this presentation is given. Please have those

in attendance complete a sign-in sheet and have the advisor email this to me no later than August 31, 2019.

Follow-up Meetings

We will continue to meet throughout your probation as described below:

- First meeting - During the autumn 2019 semester and prior to new member recruitment
- Second meeting - During the spring 2020 semester and prior to new member recruitment
- Third meeting - During the autumn 2020 semester and prior to new member recruitment

The intention of the meetings is to maintain communication regarding the growth and progress of your organization and discuss your recruitment plan for the upcoming semester. The organization must have a minimum of two (2) chapter members attend each meeting.

To schedule your meetings, you will email me at reistad.1@osu.edu a list of dates and times which you are available.

Summary of Dates

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

- Disciplinary Probation - Effective immediately through December 20, 2020
- New member Process Review – Scheduled by March 17, 2019 and meeting completed by April 1, 2019
- New Member Curriculum – Due no later than April 30, 2019
- Hazing and Policy Awareness Presentation
 - Student Conduct/ Student Activities/Advisor(s) by May 30, 2019
 - PRC members by August 31, 2019
- Follow Up Meetings
 - First meeting - During the autumn 2019 semester and prior to new member recruitment
 - Second meeting - During the spring 2020 semester and prior to new member recruitment
 - Third meeting - During the autumn 2020 semester and prior to new member recruitment

Requests for Extensions and Modifications

Your organization's leader 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 organization 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 8, 2019**. 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.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Aaron Reistad". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Aaron Reistad
Conduct Case Manager

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 _____