

**The Ohio State University
Sorority and Fraternity Life Reporting Form**

Submitted on January 27, 2020 at 5:44:56 pm EST

Nature: **Sorority and Fraternity Life**
Urgency: **Hazing**
Incident Date and Time: **2020-01-20 7:00 PM**
Incident Location: **Greek chapter house Pi Beta Phi 1845 Indianola Ave, Columbus, OH 43201**

Reported by

Name: **Ashly Horton**
Title:
Email: **horton.179@osu.edu**
Phone: **6142925576**
Address:
[UNAUTHENTICATED]

Involved Parties

Questions

Please provide a detailed description of the incident(s)/concern(s) including as much detail as possible (e.g., names of those present and/or involved, dates, times, locations, etc.).

Please send on to Title IX, OIE and/or Student Conduct.

There are 2 separate reported incidents of this alleged interaction with Pi Beta Phi and their New Member Class on Bid Day which started 1/20 around 6:30p.

First Report - Anonymously came through the SFL Grievance Form that included:

- "I heard that the seniors in pi phi took all of the new mems into a basement the day after bid day (or possibly bid day) and flashed them and told obscene/gross stories. I heard that some of the new members were crying from the incident. [REDACTED] was a new mem who was reported to be crying"

Second Report - A phone call to me (Ashly Horton.179) where the person wanted to remain anonymous.

Those details included:

- On 1/20/20 I received a text at 10:20p from a PHA Recruitment Guide asking if they can stop in tomorrow (1/21) to talk about something one of their PNMs felt very uncomfortable with that night of Bid Day and she felt really awful for her and about it. I told her we can connect tomorrow or she can call me. She chose to call then and shared concerning details of what the New Member (NM) had called crying shortly before to share with her:
- The new member texted the recruitment guide in the middle of bid day updating her of how uncomfortable she felt
- NM was very upset and did not want to go back to Pi Phi
- Comments from active members included "People are going to look at you different now. People are going to see you as a step above everyone else as a member of Pi Phi. People will now be after you because you're here."
- Very degrading comments about other sororities on campus from active members
- There was a highlight reel of drunk things they do that included videos and descriptions in detail
- The active members shared their most embarrassing sex stories which included explicit photos and videos - including a member engaging in a sex act with a penis and genitalia visible on the screen. "A woman literally on top of a penis" is how it was described to me
- Asked NM to participate in their drinking and sex story telling
- Showed a video of drunk scenarios and other appalling details were included
- A woman asked about cocaine
- It was shared plenty of times that if any New Member ever needed alcohol they will buy it for you.
- Final remarks included "We're not doing this to scare you. It's all fun and games but this is the reality of being a member of Pi Phi

Who responded or has been notified of the incident/concern? (Check all that apply)

None

Is the student and/or student organization aware of your concern(s) or that you have filed this incident report?

No

Pending IR #00032403

Submitted from 140.254.9.101 and routed to Krystal Reeb (Associate Director). Processed by routing rule #600.

Copies to: defreitas.12@osu.edu,cugliari.6@osu.edu,reeb.47@osu.edu,smith.4941@osu.edu,records@osu.edu

** Who responded or has been notified of the incident/concern? (Check all that apply)

None

** Is the student and/or student organization aware of your concern(s) or that you have filed this incident report?

No

Pending IR #00032403

Submitted from 140.254.9.101 and routed to Krystal Reeb (Associate Director)

Modified by Kelly B. Smith on January 28, 2020 at 1:10:22 pm EST from 128.146.231.91

January 28, 2020

Ohio Beta Pi Beta Phi
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

To [REDACTED] the members of the Ohio Beta chapter of Pi Beta Phi,

Student Conduct has received information that describes conduct by Pi Beta Phi on or around January 20, 2020. The report alleges that on "bid night" your chapter met with new members and provided explicit information regarding topics of a sexual nature. I am investigating whether this conduct may have occurred and violated the following section of the university's Code of Student Conduct:

- 3335-23-04 (L) Hazing. Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation, 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. Failure to intervene, prevent, or report acts of hazing may constitute a violation of this section.

Due to the subject matter of the allegations, the conduct may also violate the university's sexual misconduct policy, University Policy 1.15 - Sexual Harassment.

Directives

- Until further notice, I am directing your chapter to cease all new member activities. Any request to meet or communicate with new members must be submitted to Interim Dean of Students Ryan Lovell at lovell.113@osu.edu at least one full business day in advance of the need to meet or communicate. That email must contain a detailed rationale for the need to communicate.
- Additionally, you must immediately provide notice to your members and new members that this directive is in place. Please do this by email and copy Ryan Lovell (lovell.113@osu.edu) and me (anderson.3443@osu.edu) on that message.

Preliminary Conference

As a leader of the organization, you must contact Student Conduct **as soon as possible**, and no later than January 31, 2020, 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. Courtney Johnson, a Civil Rights Investigator from the Office of Institutional Equity will join our meeting to explain and answer your questions about University Policy 1.15. 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 anderson.3443@osu.edu prior to our meeting.

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. If you do not contact our office by January 31, 2020 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.

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

- Current member list
- New member activity calendar/plan

Advisor

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.

Code & Statement of Student Rights

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.

Accommodations

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.

Thank you in advance for your prompt attention to this matter.

Sincerely,

EmmaAnderson

Emma Anderson
Student Conduct Case Manager

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas
Interim Assistant Vice President for Student Life - Matt Couch, Ph.D.
Interim Dean of Students, Interim Assistant Vice President - Ryan Lovell

Student Rights and Responsibilities

The Code of Student Conduct provides the procedures and definitions used to respond to complaints regarding students' behavior. Many of the rights and responsibilities found in the Code of Student Conduct are highlighted below. For a full review of all the rights and responsibilities given to students please refer to the Code of Student Conduct, which can be found at www.studentconduct.osu.edu.

- Students shall receive written notice of university charges, through one of multiple methods of communication, including: in person; in a residence hall mailbox; by email to official university email address, which may then direct the student to view the notice in a secure website; by text message or other electronic communication; or by mail to a local or permanent address. **(3335-23-08-A)**

- Students are afforded the opportunity to meet with a university official following the notification of charges. **(3335-23-08-C)**
 - o University staff members authorized to investigate complaints usually request a meeting with students prior to issuing charges.
 - o Once charges are issued, students can request another meeting.
 - o Students are strongly encouraged to meet with a university official.

- Students may choose to bring an advisor (i.e., support person) for support throughout the disciplinary process. **(3335-23-12-C)**
 - o The advisor may be any person other than a witness.
 - o The advisor may only counsel the student and may not actively participate in the process.

- Students are offered options for the resolution of charges. **(3335-23-08-D)**
 - o Generally, students may choose between an administrative hearing or a hearing before the University Conduct Board to resolve charges other than those related to:
 - Academic Misconduct **(3335-23-04-A)**
 - Discrimination and harassment, including, but not limited to sexual misconduct, based on a protected class, prohibited by university policies 1.15 and 1.10, which can be found at <http://policies.osu.edu>. **(3335-23-02-C)**
 - o NOTE: If students fail to respond to the initiation of charges and there is enough information to support finding a violation, the hearing officer may issue an administrative decision, as long as the sanctions do not include suspension or dismissal. **(3335-23-09)**

- An administrative decision allows the student to admit, in writing, to the violation(s), and serves as a request to have appropriate sanctions made by the hearing officer, rather than having charges referred to a hearing body. **(3335-23-09)**

- In these cases, the student waives rights to a hearing and any procedural guarantees that come from taking part in a hearing.
- Students have the opportunity to request a separate hearing and choose either an administrative (with one university official) or board hearing, except under special circumstances. **(3335-23-10-C)**
 - Students will receive notice of the hearing at least 10 calendars prior to the hearing, including all charge(s), logistical information, and statement of student's rights. **(3335-23-11-C)**
 - The respondent may request to postpone the hearing for a reasonable cause, which must be made in writing and received by the person sending the hearing notification at least 2 business days in advance. Decisions on postponements are made at the discretion of the university. **(3335-23-11-D)**
 - Attendance at hearings, though not mandated is strongly encouraged, and also limited to, respondents and those directly involved or requested by the hearing body.
 - Students will be informed of witnesses invited to attend the hearing by the university, and will be able to invite relevant factual witnesses to attend. **(3335-23-12-D)**
 - The respondent will have the opportunity to ask questions of all witnesses.
 - A single record of the proceedings, consisting of written notes, audio recording, or another method determined by the hearing body will be made. This will remain the property of the university but will be made available to the respondent for review during the appeal period. **(3335-23-14)**
 - Students will only be found in violation if a preponderance of evidence supports the charges. **(3335-23-12-E)**
- Students found in violation of the code, or who accept responsibility for violating the code, will receive sanctions that should be commensurate with the violations found to have occurred. **(3335-23-17)**
 - A disciplinary sanction: a formal reprimand; disciplinary probation; suspension; or dismissal, will be given in addition to (in most cases) educational outcomes.
- Students found to have violated the code of student conduct have the right to appeal the original decision. **(3335-23-18)**
 - All appeals must be sent within five working days after the date on which notice of the decision was sent to the student, unless the deadline was extended in response to an extension request as described in 3335-23-18-A(2).
 - Students who accept responsibility through an administrative decision waive their right to appeal, except on the basis that the disciplinary sanction is grossly disproportionate to the violation(s) committed.

- Students are limited to one appeal of a decision, and the decision of the appeal officer is final.
- Information on how to submit an appeal, including grounds for appeal, will be included with communication following a decision from the appropriate hearing body.

April 23, 2020

Ohio Beta Pi Beta Phi
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED] the members of the Ohio Beta chapter of Pi Beta Phi:

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.

You will find the investigative summary via the following link:

Link: [REDACTED]

Password: [REDACTED]

I have attached your Charge and Process form to this email. Please review it carefully and select your resolution option. We can usually schedule an Administrative Hearing on any business day. The University Conduct Board hears cases on Mondays and Fridays. If you select a hearing before the University Conduct Board, please indicate which of the available hearing days/start times you prefer. Upon request, we can provide an excuse letter for employers and instructors.

Once you have completed the form electronically or by hand, email it to anderson.3443@osu.edu. This form is due by 4:30 p.m. on April 30, 2020. Failure to return this form may result in Student Conduct issuing an administrative decision pursuant to section 3335-23-09 of the Code of Student Conduct, or scheduling an administrative hearing to resolve the charges.

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/>.

Upon request, Student Life's Student Advocacy Center (<http://advocacy.osu.edu>) is able to provide information and assistance about this process.

Please call our office at 614-292-0748 between 8:00 a.m. and 5:00 p.m. Monday through Friday, or email me if you have questions.

Sincerely,

A handwritten signature in black ink that reads "Emma Anderson". The signature is written in a cursive, slightly slanted style.

Emma Anderson
Student Conduct Case Manager

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas, Ed.D
Pi Beta Phi Nationals- Mackenzie Baker

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE AND PROCESS FORM

Name: [REDACTED] the members of the Ohio Beta chapter of Pi Beta Phi

Email: [REDACTED]

I. Charge(s): It is alleged that on January 20th, 2020, the Ohio Beta chapter of Pi Beta Phi violated the following sections of the Code of Student Conduct:

- 3335-23-04 (L) Hazing. Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation, 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. Failure to intervene, prevent, or report acts of hazing may constitute a violation of this section.
- 3335-23-04 (P) Recording or distribution without knowledge. Using electronic or other means to make or distribute a video, audio, or photographic record of any person in a location where there is a reasonable expectation of privacy without the person's prior knowledge, when such a recording is likely to cause injury, distress, or damage to reputation. This includes, but is not limited to, taking video, audio, or photographic records in shower/locker rooms, residence hall rooms, and restrooms. The storing, sharing, and/or distributing of such unauthorized records by any means is also prohibited.

During spring semester Bid Day, after a member flashed her chest to new members, the chapter showed a video to new members. The video chronicled behavior by members, including:

- Excessive and dangerous use of alcohol, as evidenced by members drinking alcohol to the point on intoxication, including images of: members who appear to be unconscious; members who are vomiting; and members who are falling over.
- Public nudity, including images of topless members and images of members exposed

from the waist down.

This video created a substantial risk of mental harm and humiliation because new members were made to watch explicit content in a large gathering of individuals many had only just met.

The intended or implicit message the video might have conveyed to the new members – that their membership in the Ohio Beta chapter came with the expectation they would engage in behavior like that depicted in the video – also created a substantial risk of mental harm or humiliation.

Several members of the Ohio Beta chapter reported that their appearance in the video occurred without their knowledge or authorization. The aforementioned content of the video is likely to cause distress, or damage to reputation.

II. Acceptance/Non-Acceptance of Responsibility: To resolve these charges, place your initials next to your selection.

_____ On behalf of the Ohio Beta chapter of Pi Beta Phi 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.**

_____ On behalf of the Ohio Beta chapter of Pi Beta Phi 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.**

_____ On behalf of the Ohio Beta chapter of Pi Beta Phi 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. The preferred hearing day/times for the organization are:**

_____ **Mondays starting at 9:00 a.m.**

_____ **Mondays starting at 1:00 p.m.**

_____ **Fridays starting at 9:00 a.m.**

_____ **Fridays starting at 1:00 p.m.**

III. Possible Sanctions: If you are found in violation, please understand that the Ohio Beta chapter may be subject to a formal reprimand, disciplinary probation, deferred revocation of registration, dismissal, or any other sanction and/or combination of sanctions in the Code of Student Conduct.

I have received notice of the charges. I will return this form by email to anderson.3443@osu.edu

by **April 30, 2020** at 4:30 p.m. I understand that if I do not return the form, it may result in Student Conduct issuing an administrative decision pursuant to section 3335-23-09 of the Code of Student Conduct, or scheduling an administrative hearing to resolve the charges.



Date: _____

Acknowledgements

Pi Beta Phi Executive Board Member Signature: _____

Date: _____

Pi Beta Phi Advisor Signature: _____

Date: _____

April 23, 2020

Ohio Beta Pi Beta Phi
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED] the members of the Ohio Beta chapter of Pi Beta Phi:

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.

You will find the investigative summary via the following link:

Link: [REDACTED]

Password: [REDACTED]

I have attached your Charge and Process form to this email. Please review it carefully and select your resolution option. We can usually schedule an Administrative Hearing on any business day. The University Conduct Board hears cases on Mondays and Fridays. If you select a hearing before the University Conduct Board, please indicate which of the available hearing days/start times you prefer. Upon request, we can provide an excuse letter for employers and instructors.


Once you have completed the form electronically or by hand, email it to anderson.3443@osu.edu. This form is due by 4:30 p.m. on April 30, 2020. Failure to return this form may result in Student Conduct issuing an administrative decision pursuant to section 3335-23-09 of the Code of Student Conduct, or scheduling an administrative hearing to resolve the charges.

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/>.

Upon request, Student Life's Student Advocacy Center (<http://advocacy.osu.edu>) is able to provide information and assistance about this process.

Please call our office at 614-292-0748 between 8:00 a.m. and 5:00 p.m. Monday through Friday, or email me if you have questions.

Sincerely,

A handwritten signature in black ink that reads "Emma Anderson". The signature is written in a cursive, slightly slanted style.

Emma Anderson
Student Conduct Case Manager

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas, Ed.D
Pi Beta Phi Nationals- Mackenzie Baker

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE AND PROCESS FORM

Name: [REDACTED] the members of the Ohio Beta chapter of Pi Beta Phi

Email: [REDACTED]

I. Charge(s): It is alleged that on January 20th, 2020, the Ohio Beta chapter of Pi Beta Phi violated the following sections of the Code of Student Conduct:

- 3335-23-04 (L) Hazing. Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation, 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. Failure to intervene, prevent, or report acts of hazing may constitute a violation of this section.
- 3335-23-04 (P) Recording or distribution without knowledge. Using electronic or other means to make or distribute a video, audio, or photographic record of any person in a location where there is a reasonable expectation of privacy without the person's prior knowledge, when such a recording is likely to cause injury, distress, or damage to reputation. This includes, but is not limited to, taking video, audio, or photographic records in shower/locker rooms, residence hall rooms, and restrooms. The storing, sharing, and/or distributing of such unauthorized records by any means is also prohibited.

During spring semester Bid Day, after a member flashed her chest to new members, the chapter showed a video to new members. The video chronicled behavior by members, including:

- Excessive and dangerous use of alcohol, as evidenced by members drinking alcohol to the point on intoxication, including images of: members who appear to be unconscious; members who are vomiting; and members who are falling over.
- Public nudity, including images of topless members and images of members exposed

from the waist down.

This video created a substantial risk of mental harm and humiliation because new members were made to watch explicit content in a large gathering of individuals many had only just met.

The intended or implicit message the video might have conveyed to the new members – that their membership in the Ohio Beta chapter came with the expectation they would engage in behavior like that depicted in the video – also created a substantial risk of mental harm or humiliation.

Several members of the Ohio Beta chapter reported that their appearance in the video occurred without their knowledge or authorization. The aforementioned content of the video is likely to cause distress, or damage to reputation.

II. Acceptance/Non-Acceptance of Responsibility: To resolve these charges, place your initials next to your selection.

On behalf of the Ohio Beta chapter of Pi Beta Phi 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.**

On behalf of the Ohio Beta chapter of Pi Beta Phi 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.**

On behalf of the Ohio Beta chapter of Pi Beta Phi 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. The preferred hearing day/times for the organization are:**

 Mondays starting at 9:00 a.m.

 Mondays starting at 1:00 p.m.

 Fridays starting at 9:00 a.m.

 Fridays starting at 1:00 p.m.

III. Possible Sanctions: If you are found in violation, please understand that the Ohio Beta chapter may be subject to a formal reprimand, disciplinary probation, deferred revocation of registration, dismissal, or any other sanction and/or combination of sanctions in the Code of Student Conduct.

I have received notice of the charges. I will return this form by email to anderson.3443@osu.edu

by **April 30, 2020** at 4:30 p.m. I understand that if I do not return the form, it may result in Student Conduct issuing an administrative decision pursuant to section 3335-23-09 of the Code of Student Conduct, or scheduling _____ the charges.

Date: 4/30/2020

Acknowledgements

Pi Beta Phi Executive Board Member Signature: _____

Date: 4/30/2020

Pi Beta Phi Advisor Signature: _____

Date: 4/30/2020

Emily Gates

June 8, 2020

Ohio Beta Pi Beta Phi
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

To [REDACTED] the members of the Ohio Beta chapter of Pi Beta Phi:

I am writing to provide the Ohio Beta chapter of Pi Beta Phi with my decision. The chapter took responsibility and requested an administrative decision for the following alleged violation(s) of the Code of Student Conduct:

- 3335-23-04 (L) Hazing. Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation, 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. Failure to intervene, prevent, or report acts of hazing may constitute a violation of this section.
- 3335-23-04 (P) Recording or distribution without knowledge. Using electronic or other means to make or distribute a video, audio, or photographic record of any person in a location where there is a reasonable expectation of privacy without the person's prior knowledge, when such a recording is likely to cause injury, distress, or damage to reputation. This includes, but is not limited to, taking video, audio, or photographic records in shower/locker rooms, residence hall rooms, and restrooms. The storing, sharing, and/or distributing of such unauthorized records by any means is also prohibited.

During spring semester Bid Day, after a member flashed her chest to new members, the chapter showed a video to new members. The video chronicled behavior by members, including:

- Excessive and dangerous use of alcohol, as evidenced by members drinking alcohol to the point on intoxication, including images of: members who appear to be unconscious; members who are vomiting; and members who are falling over.
- Public nudity, including images of topless members and images of members exposed from the waist down.

This video created a substantial risk of mental harm and humiliation because new members were made to watch explicit content in a large gathering of individuals many had only just met.

The intended or implicit message the video might have conveyed to the new members – that their membership in the Ohio Beta chapter came with the expectation they would engage in behavior like that depicted in the video – also created a substantial risk of mental harm or humiliation.

Several members of the Ohio Beta chapter reported that their appearance in the video occurred without their knowledge or authorization. The aforementioned content of the video is likely to cause distress, or damage to reputation.

Sanction Consideration

I considered the following factors in determining appropriate sanctions:

- The Ohio Beta chapter's recent conduct history
- The Ohio Beta chapter's cooperative spirit throughout the conduct process
- The severity of the violations when considered on a continuum
- The collaboration and support of Pi Beta Phi Fraternity, including proposed sanctions

This outcome letter does not replace nor nullify any sanctions or stipulations set forth by your international fraternity; advisors; Sorority and Fraternity Life; or PHA.

Sanctions

1) Deferred Revocation of Registration

At this time, I am deferring revocation of your chapter's status as a registered student organization, pending a chapter and member assessment by Pi Beta Phi Fraternity, through May 9, 2021. The assessment must be completed no later than July 24, 2020. If the organization fails to complete this membership review and communicate the results, the Ohio Beta chapter's status as a registered student organization will be revoked.

- The chapter and member assessment conducted must meet the criteria and standards agreed upon by your international organization. The assessment must be completed no later than July 24, 2020.
- A summary report of the chapter and membership assessment must be emailed to me anderson.3443@osu.edu by July 31, 2020.
- A representative from the Ohio Beta chapter must meet with me and a member of Sorority and Fraternity Life by August 7, 2020 to discuss the results and impact of the membership review. You may schedule this meeting by emailing me.

Additionally, any further violation of the Code of Student Conduct, while on probation will result in the revocation of your chapter's status as a registered student organization. Unregistered student organizations do not meet the qualification of the Greek Housing Standard or the Greek Housing Implementation Report, or benefit from additional privileges provided to registered student organizations.

2) Disciplinary Probation

Your chapter's disciplinary probation is effective immediately through May 8, 2022.

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 or revocation of registration.

Further, I have reviewed all of the international fraternity's recommended sanctions, and think they will be strategic and effective to re-build a membership which meets the expectations of Pi Beta Phi and Ohio State. In order to support you in this endeavor, you will be required to complete the following sanctions:

3) Social Restriction

The Ohio Beta chapter is placed on social restriction, and may not host or co-host any events where alcohol is present through May 9, 2021. This mirrors the fraternity's proposal for a period of social probation through the end of the spring semester.

I expect your chapter to continue to engage with its members and community, therefore you will host alcohol-free events while on social probation. Accordingly, in consultation with your Sorority and Fraternity Life liaison, you must develop, plan and register a *minimum* of three alcohol-free social events during each semester of the 2020-21 academic year. While not required, I encourage you to collaborate with another chapter on at least one of these events.

4) Return from Social Restriction

The purpose of the educational sanction is to support your chapter in hosting and co-hosting social functions in full compliance with risk management guidelines, state and local laws and statutes, and other applicable university policies.

While on disciplinary probation (thru May 9, 2022) you must hire a trained and insured security services and third-party bartender for events hosted or co-hosted when alcohol will be present. I encourage you to consider making this requirement part of your common practice to enhance the safety of your guests and reduce risk to your chapter. However, if you choose host or co-host evented in where members of the Ohio Beta chapter or members of any co-sponsoring chapter serve alcohol after your disciplinary probation period (thru May 9, 2022), these bartenders must be trained and certified.

To assist you in focusing on compliance with risk management practices, you are limited to having seven (7) events where alcohol is present during the autumn 2021 semester.

Documentation for each event with alcohol hosted and co-hosted must include the following to be considered compliant with this sanction:

- event registration for Sorority and Fraternity Life
- receipts for trained and insured security services and third-party bartender (which could include contracts with a third-party location)
- signed and dated guest list for the event
- documented evidence following BYOB policies were followed, where appropriate

- time-stamped photo evidence (e.g., sign-in table, wristbands, alcohol management, etc.)

If all policies and procedures are followed during the autumn 2021 semester the Ohio Beta will be permitted to return to having the number of social events with alcohol as identified by PHA and/or Sorority and Fraternity Life. Additionally, if your chapter does not comply with these sanctions, further limitations may be placed on your chapter's ability to hold events where alcohol is present.

5) Advisor Assessment

In accordance with the proposal submitted by the international fraternity, the Ohio Beta chapter of Pi Beta Phi is required to work with the fraternity to complete an advisor assessment. The assessment should include all components of the assessment described in the May 19, 2020 proposal.

6) Education Plan

As identified in the proposal submitted by the fraternity, the Ohio Beta chapter is required to participate in and/or host a series of educational programming.

Alcohol Education

1. As proposed by the fraternity, ***all*** members must retake the EverFi GreekLifeEdu course virtually. Confirmation must be sent to me by August 28, 2020.
2. Three further alcohol educational programs will be delivered to the entire membership, one in the autumn 2020 semester, one in the spring 2021 semester, and one in the autumn 2021 semester. The content of these programs will be recommended by the fraternity based on the report from the membership assessment and progress throughout the probationary period. The topics and presenters must be approved by me at least 3 weeks in advance of the program and no later than October 16, 2020, March 19, 2021, and October 15, 2021 respectively. I would encourage you to consider making these programs annual opportunities.

Hazing

1. At least two anti-hazing educational opportunities must be provided. The specific content of these programs will be recommended by the fraternity based on the report from the membership assessment. One program must take place in the autumn 2020 semester, and one must take place in the week preceding spring 2021 formal recruitment.

Values

1. As proposed by the fraternity, the international organization will deliver the *Discovering Sincere Friendship* program as part of the *Critical Conversations Prevention Education Program*, "which aims to reflect on interpersonal relationships and dynamics within the chapter," during the spring 2021 semester.
2. One additional values based programs will be delivered to the entire membership in the autumn 2020 semester, based on recommendations from the membership assessment.

It is my expectation that at least 80% of your members are present at each of the programs. If 80% of members are not able to attend, subsequent presentations must be provided and supervised by a member(s) of the executive board. Dependent on social gathering restrictions it may be necessary to host these educational opportunities virtually and/or in small groups. Presenters and topics must be emailed to and approved by me at least 3 weeks before the date of each program. It is the responsibility of the chapter to send all supporting documentation to me within one week of the completion of each program.

7) Meetings with Student Conduct

To help support the Ohio Beta chapter in the implementation and completion of these sanctions, you will schedule to meet with myself and a representative from Sorority and Fraternity life once each semester through the completion of the probationary period. You must be joined by at least one chapter co-leader and a chapter advisor and/or representative from the international fraternity. Meetings will be scheduled as follows:

- Autumn 2020 semester- meeting must be scheduled by October 15, 2020
- Spring 2021 semester- meeting must be scheduled by March 15, 2021
- Autumn 2021 semester- meeting must be scheduled by October 12, 2021

You must attend each meeting prepared to update the group on the status of the chapter, as well as with documentation related to any components of the sanction with recent or upcoming due dates. I also encourage you to come prepared with questions or thoughts about how members of the group can support the chapter in the successful completion of the sanctions.

8) Chapter Communication Plan

To ensure that the entire chapter and all those who work closely with the chapter are aware of the chapter's status, at the end of the appeal period, the Ohio Beta chapter is required to email this outcome letter to:

- all new and active members
- all local and alumni advisors
- the housing corporation/board and/or landlord/property owners for the chapter house
- all landlord/property owners for any "annex" houses

You must copy me on this communication so that I can verify completion. Failure to send this communication to all new and active members will result in a charge being issued for *3335-23-04 (M8) Student conduct system abuse*.

Summary of dates

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

- Outcome letter sent to members and stakeholders- June 16, 2020 (if no appeal submitted)
- Chapter and Membership Assessment Completed- July 24, 2020
- Summary Report of Membership Assessment- July 31, 2020
- Meeting with Student Conduct and SFL to Review Membership Assessment- August 7,

2020

- First meeting with Student Conduct- October 15, 2020
- Second meeting with Student Conduct- March 15, 2021
- Social Restriction Completed- May 9, 2021
- Deferred Revocation of Registration Completed- May 9, 2021
- Third meeting with Student Conduct- October 12, 2021
- Return from Social Restriction Completed- December 19, 2021
- Disciplinary Probation Completed- May 8, 2022

Requests for Extensions and Modifications

I understand that the current circumstances resulting from COVID-19 may create difficulties in organizing and completing sanctions. Please communicate with me by email at anderson.3443@osu.edu regarding any challenges your chapter encounters. I can be flexible with due dates, as appropriate, if you are making a good-faith effort.

Adjustments due to COVID-19 Response

The social probation and subsequent return from social probation sanctions have been deliberately structured to promote learning in a “typical campus environment.” Should COVID-19 conditions alter that environment, such as prohibitions on mass gatherings, Student Conduct reserves the right to extend any sanctions or sanction deadlines found in this letter. For example, should prohibitions on events and mass gatherings impact the typical autumn schedule of registered events, such as “Block,” the requirements noted about for autumn 2020, would extend through spring 2021, and so on.

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 the general Student Conduct email on all sanction items. That address is studentconduct@osu.edu.

Appeal

Because you accepted responsibility, you may only appeal on the basis that the disciplinary sanction is grossly disproportionate to the violation committed. To do so, you must submit your appeal in writing, directed to the Vice President for Student Life, no later than 4:00 pm on June 15, 2020. You may use the online appeal form found at <https://go.osu.edu/appeals>, or the form attached to this letter to submit your appeal. If you elect to use the attached document, please turn it in 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.

Upon request, Student Life’s Student Advocacy Center (<http://advocacy.osu.edu>) is able to provide information and assistance about this process, including the possible impact that any assessed sanctions may have on you.

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 a.m. and 5 p.m. Monday through Friday.

Sincerely,



Emma Anderson
Student Conduct Case Manager

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas, Ed.D
Interim Assistant Vice President for Student Life - Matt Couch
[REDACTED]
Pi Beta Phi International Fraternity- Mackenzie Baker

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 _____