

Case No: [REDACTED]

Organization Name: Pi Kappa Alpha

Charge Date:

Hearing Date: September 24, 2020

- Incident report/complaint
- Notice of investigation/meeting request
- Closing Letter - No charges

**The Ohio State University
Incident Report**

Submitted on September 11, 2020 at 4:08:58 pm EDT

Nature: **Event or gathering**
Urgency: **COVID-19 and/or Buckeye Pledge-related concern**
Incident Date and Time: **2020-09-10 7:00 PM**
Incident Location: **Columbus Off Campus - Please list specific street address under**

Reported by

Name: **Hunter Hartwig**
Title: **AD of SFL**
Email: **hartwig.24@osu.edu**
Phone: **614-247-7990**
Address: **1739 N High Street**
[Authenticated as Hunter Hartwig]

Involved persons, organizations or addresses -- REQUIRED

Reporter [Redacted] Off Campus [Redacted] [Redacted]

Pi Kappa Alpha ()
Alleged

Narrative Information and Notifications

Please provide a description of the incident.

On Fri. 9/11 [Redacted] member of Pi Kappa Alpha, reported his own fraternity through the online Council Grievance Form. [Redacted] reported that the fraternity hosted an in-person recruitment event on the evening of 9/10 even though this violates both IFC and OSU gathering in-person policies.

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.

SFL staff, [Redacted]

If you are reporting COVID/Pledge related conduct that occurred during a class, please identify the course name and number, classroom location, instructor name and instructor email.

If you are reporting hazing, please provide any additional details not already provided above, such as the name of the organization; whether the hazing occurred in the past, is currently ongoing or is anticipated in the future (i.e., during initiation week).

If you are reporting hazing and wish to remain anonymous, please consider using the university's anonymous reporting found on the Office of University Compliance and Integrity's website <https://compliance.osu.edu/>

That form allows you to share information and receive updates on our investigation while maintaining your anonymity.
I have provided contact information

Pending IR #00035470

Submitted from 99.165.70.76 and routed to Kelly B. Smith (Director). Processed by routing rule #133.

Copies to: reeb.47@osu.edu

Submitted from 99.165.70.76 and routed to Kelly B. Smith (Director)

Modified by Krystal Reeb on September 11, 2020 at 5:40:07 pm EDT from 74.113.47.183

September 11, 2020

Alpha Rho chapter of Pi Kappa Alpha
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED] members of the Alpha Rho chapter of Pi Kappa Alpha:

Student Conduct has received information that describes conduct by the Alpha Rho chapter on September 10, 2020. The report details concerns related to allegedly hosting in-person recruitment despite the temporary suspension of all in-person student organization events or gatherings of any kind issued on August 23, 2020. 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 (G) Failure to Comply with University or Civil Authority. Failure to comply with legitimate directives of authorized university officials, law enforcement or emergency personnel, identified as such, in the performance of their duties, including failure to identify oneself when so requested; or violation of the terms of a disciplinary sanction.
- 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 (N) Violation of university rules or federal, state, and local laws. Violation of other published university rules, policies, standards, and/or guidelines, or violations of behavior that could violate federal, state, or local law. These university rules, policies, standards, or guidelines include, but are not limited to, those which prohibit the misuse of computing resources, rules for student groups or organizations, and residence hall rules and regulations.

I am directing your chapter not to have any in-person meetings, events or gatherings until further notice.

As a leader of the organization, you must email me **as soon as possible**, and no later than September 14, 2020, to schedule a preliminary conference. This meeting will be held using CarmenZoom. The purpose of this conference is twofold. At this meeting, I will explain our

process for determining whether charges for violations are warranted, and will answer any questions you may have about the conduct process. We will talk about what happened, and you will be able to identify any other individuals who may have information about the alleged incident. If you have any relevant materials, for example your own written statement, text messages, photos, emails, etc., please email them to me at reeb.47@osu.edu before our meeting.

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

- the address where the gathering was held
- names of the residents who live at the facility where the gathering was held

As a leader of the organization, you are required to notify the entire membership of this matter. Please send one email with this letter as an attachment to all members of your organization and copy me on the email.

Should any individuals wish to provide information to me regarding this investigation they are encouraged to email me at reeb.47@osu.edu.

All members of the organization are advised that should they violate the directives listed in this letter that they will be charged as an individual student with the following policy:

- 3335-23-04(G) Failure to Comply with University or Civil Authority – Failure to comply with legitimate directives of authorized university officials, law enforcement or emergency personnel, identified as such, in the performance of their duties, including failure to identify oneself when so requested; or violation of the terms of a disciplinary sanction.

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. Student Life's Advocacy Center (<http://advocacy.osu.edu>) is unable to serve as an advisor, but upon request, they are able to provide information and assistance about the conduct process.

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 Responsibilities to this letter.

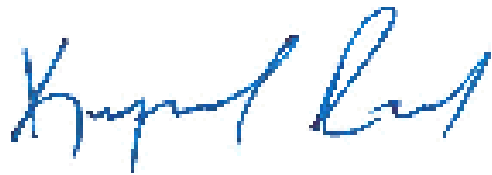
Students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at 614-292-6207 (voice), 614-688-8605 (TTY), ada-osu@osu.edu, 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, or a representative from your organization, fail to contact our office by September 14, 2020 to schedule your preliminary conference meeting, I may continue this investigation without your input. This could result in charges, which may lead to a hearing and sanctions if found in violation.

To schedule your preliminary conference, please email me your availability for next week at reeb.47@osu.edu.

I look forward to speaking with you.

Sincerely,



Krystal Reeb
Associate Director

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas, Ed.D
[REDACTED]
Chapter Advisor - Steven Jackson
Pi Kappa Alpha Headquarters - David Locke

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.

September 24, 2020

Alpha Rho chapter of Pi Kappa Alpha
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

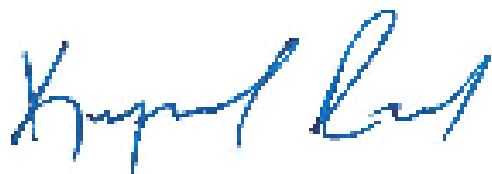
[REDACTED]

I am writing to update you on the status of the Alpha Rho chapter of Pi Kappa Alpha's conduct case. Based on the information available to me at this time, I am not issuing charges; however, I reserve the right to reopen the case if additional information is provided in the future. I appreciate your cooperation with the Student Conduct process.

With the conclusion of your conduct case, I am lifting the directive listed in your administrative summons. Your chapter may continue to have in-person meetings, events or gatherings in compliance with the Buckeye Pledge, other university-wide policies, and Ohio health directives.

If you have any questions, please do not hesitate to contact me at 614-292-0748 between 8:00am and 5:00pm Monday through Friday.

Sincerely,



Krystal Reeb
Associate Director

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas, Ed.D
[REDACTED]
Chapter Advisor - Steven Jackson
Pi Kappa Alpha Headquarters - David Locke