

Case No: [REDACTED]

Organization Name: Pi Kappa Alpha

Charge Date:

Hearing Date: January 27, 2021

- Incident report/complaint
- Notice of investigation/meeting request
- Notice of charges
- Response to charges
- Outcome letter

**Case: 119 Hotline Web  
Student Conduct  
General Student Issues**

---

**Case Snapshot**

**Opened:** 10/09/2020  
**Days open:** 1  
**Last modified:** 10/11/2020 3:36 PM  
**Intake method:** Hotline Web  
**Status:** Open  
**Alert:** Green

---

**General Case Info**

**Case number:**  
119  
**Received/Reported date:**  
10/09/2020  
**Language:**  
English  
**Assigned tier:**  
Student Conduct

---

**Issue**

**Primary issue:**  
General Student Issues

---

**Case Details**

**Reported tier information**

**Case type:**  
Allegation  
**Intake method:**  
Hotline Web

---

**Location**

**Organization/Building name:**  
OSU - Student Conduct

**Location/Address:**

Pi Kappa Alpha Fraternity House  
73 e 15th Avenue

**City:**

Columbus

**State/province:**

OH

**ZIP/postal code:**

43201

**Country:**

USA

---

**Reporter contact information****Is the reporter an employee?**

No

**Reporter anonymous:**

Yes

---

**Case Information****Relationship to Institution:**

Student

**Please identify the person(s) engaged in this behavior:**

[REDACTED]

**Do you suspect or know that a supervisor or management is involved?**

Do Not Know / Do Not Wish To Disclose

**If yes, then who?**

Adam Lament, House Dad

**Is management aware of this problem?**

Yes

**What is the general nature of this matter?**

The parties are obvious, unbearably loud music and the second floor is destroyed each week.

**Where did this incident or violation occur?**

Pi Kappa Alpha Fraternity House

**Please provide the specific or approximate time this incident occurred:**

October 9, 2020

Previous dates:

October 2, 2020

September 26, 2020

September 19, 2020

**How long do you think this problem has been going on?**

1 to 3 months

**How did you become aware of this violation?**

Other

**If other, how?**

I was at some of these events and observed the others.

**Please identify any persons who have attempted to conceal this problem and the steps they took to conceal it:**

Every member of the Pi Kappa Alpha fraternity know and participate in these unsanctioned underground parties. They lie and take action in order to keep these parties under the universities radar. They also coach their prospective new members on what to say if confronted by university officials. The house dad and everyone who lives at the Pike house conceal these parties.

**Details:**

Unsanctioned frat parties, the Pi Kappa Alpha fraternity is hosting parties on the second floor of their fraternity house on a weekly basis. Starting in September, Pi Kappa Alpha began initially hosting small functions on the second floor of their fraternity house. These gatherings were somewhat small at around 15-25 people. However, during the covid-19 precautions even then the events were breaking local ordinances on covid. At the end of September, these functions went from smaller gatherings to full fledged parties, with alcohol served at a bar by a prospective new member (pledge). These parties are a danger to the community first off due to the current times we live in with Covid, at no point were masks ever worn. Secondly, these are unsanctioned frat parties serving alcohol and liquor without any precautions.

**Participants**

Name	Job Title	Relationship	Role	Results	Notes
		None	None	None	

**Attachments****Files from Reporter**

	File	Description	Date
#1	trim.3493931E-FFD7-4EA7-8614-FCD382A5F538.MOV	Video morning after party before I left, shows dj stand, elevated surfaces, dance floor, bar, and beer pong table	10/09/2020
#2	trim.533C7011-BBCB-4FEE-B1EC-2F0D78184DE9.MOV	Video morning after party before I left, shows dj stand, elevated surfaces, dance floor, bar, and beer pong table	10/09/2020

**Synopsis****Outcome of case****Primary outcome:**

- Select One -

**Secondary outcome 1:**

- Select One -

**Secondary outcome 2:**

- Select One -

**Action taken:**

- Select One -

---

**Additional details**

October 23, 2020

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

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

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

Student Conduct has received information that describes conduct by Pi Kappa Alpha on October 9, 2020. The report details concerns related to the Alpha Rho chapter of Pi Kappa Alpha hosting an event and/or gathering with alcohol, which was being served by new members, at the chapter house with greater than 10 individuals in attendance. 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 (I) Alcohol. Use, underage intoxication, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable university policy or facility policy.
- 3335-23-04 (B1) Endangering behavior. Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action.
- 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 (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.

- 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.

**I am directing the Alpha Rho chapter of Pi Kappa Alpha not to have any events where alcohol is present until further notice.**

As a leader of the organization, you must contact Student Conduct at 614-292-0748 **as soon as possible**, and no later than October 28, 2020, to schedule a preliminary conference with me. 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 [volkman.9@osu.edu](mailto:volkman.9@osu.edu) before our meeting.

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

- Current member list
- Guest list for the registered event
- Copy of registered event form
- Name(s) of anyone who served alcohol at the event (i.e., bartender)
- Name(s) of those who live at the property where the event occurred
- Any other documents you'd like to provide that demonstrates risk management practices were followed

**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 [volkman.9@osu.edu](mailto:volkman.9@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.

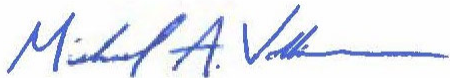
Students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at 614-292-6207 (voice), 614-688-8605 (TTY), [ada-osu@osu.edu](mailto:ada-osu@osu.edu), 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 October 28, 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 call Student Conduct at 614-292-0748 between 8:00 a.m. and 5:00 p.m. Monday through Friday.

I look forward to speaking with you.

Sincerely,



Michael Volkman  
Senior 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]  
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](http://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.

November 30, 2020

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

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

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

I am writing to give you an update on the chapter's 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 the organization is responsible for violating any sections of the code; it only causes the second half of our process to begin.

I have attached your chapter's 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. We will do our best to accommodate your preference. Upon request, we can provide an excuse letter for employers and instructors.

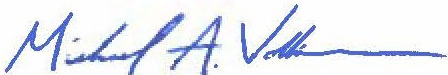
Once you have completed the form electronically or by hand, email it to [volkman.9@osu.edu](mailto:volkman.9@osu.edu). This form is due by 4:30 p.m. on December 7, 2020. Failure to return this form may result in Student Conduct issuing an administrative decision pursuant to section 3335-23-09 of the 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](mailto:ada-osu@osu.edu), or visit <https://ada.osu.edu/>.


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.

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,



Michael Volkman  
Senior Conduct Case Manager

CC: Chapter Advisor - Steven Jackson  
Pi Kappa Alpha Headquarters - David Locke  
Director of Sorority and Fraternity Life - Kim Monteaux De Freitas, Ed.D  
Interim Assistant Vice President for Student Life - Matt Couch  


**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

**CHARGE AND PROCESS FORM**

Name: Alpha Rho Chapter of Pi Kappa Alpha

Email: [REDACTED]

**I. Charge(s):** It is alleged that on October 9, 2020, the Alpha Rho chapter of Pi Kappa Alpha violated the following sections of the Code of Student Conduct:

- 3335-23-04 (I) Alcohol. Use, underage intoxication, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable university policy or facility policy.
- 3335-23-04 (B1) Endangering behavior. Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action.
- 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 (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.
- 3335-23-04 (M8) Student conduct system abuse - Failure to comply with sanctions. Failure to comply with one or more sanctions imposed under the code of student conduct.

by engaging/or attempting to engage in conduct, that includes, but is not limited to:

- The chapter hosted an in-person event/gathering at their chapter house failing to abide by the Buckeye Pledge and applicable health orders/directives including, but not limited to, the lack of physical distancing, hosting an event/gathering of greater than ten (10) individuals, and/or no face masks being worn to limit the spread of COVID-19.
- Alcohol was made available at the event/gathering through BYOB where attendees under the age of 21 years old were provided and/or permitted to consume alcohol.
- The chapter failed to comply with the sanctions issued in case 2018452701, specifically by not having a paid bartender service and paid security service. These sanctions were issued on June 19, 2019, due to an incident in which a violation occurred for alcohol and endangering behavior.

**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. My preferred hearing day/times 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.**

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.

**III. Possible Sanctions:**

If you are found in violation, please understand that you may be subject to a formal reprimand, disciplinary probation, suspension, 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 email a copy to [volkman.9@osu.edu](mailto:volkman.9@osu.edu) by **December 7, 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.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

**CHARGE AND PROCESS FORM**

Name: Alpha Rho Chapter of Pi Kappa Alpha

Email: [REDACTED]


**I. Charge(s):** It is alleged that on October 9, 2020, the Alpha Rho chapter of Pi Kappa Alpha violated the following sections of the Code of Student Conduct:

- 3335-23-04 (I) Alcohol. Use, underage intoxication, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable university policy or facility policy.
- 3335-23-04 (B1) Endangering behavior. Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action.
- 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 (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.
- 3335-23-04 (M8) Student conduct system abuse - Failure to comply with sanctions. Failure to comply with one or more sanctions imposed under the code of student conduct.

by engaging/or attempting to engage in conduct, that includes, but is not limited to:

- The chapter hosted an in-person event/gathering at their chapter house failing to abide by the Buckeye Pledge and applicable health orders/directives including, but not limited to, the lack of physical distancing, hosting an event/gathering of greater than ten (10) individuals, and/or no face masks being worn to limit the spread of COVID-19.
- Alcohol was made available at the event/gathering through BYOB where attendees under the age of 21 years old were provided and/or permitted to consume alcohol.
- The chapter failed to comply with the sanctions issued in case 2018452701, specifically by not having a paid bartender service and paid security service. These sanctions were issued on June 19, 2019, due to an incident in which a violation occurred for alcohol and endangering behavior.

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

 accept responsibility for the violation(s) of the Code of Student Conduct as listed in 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. My preferred hearing day/times 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.

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.

**III. Possible Sanctions:**

If you are found in violation, please understand that you may be subject to a formal reprimand, disciplinary probation, suspension, 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 email a copy to [volkman.9@osu.edu](mailto:volkman.9@osu.edu) by **December 7, 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,  to resolve the charges.

Signature

Date: 11/30/20

January 27, 2021

Alpha Rho Chapter Of Pi Kappa Alpha  
Sent electronically to [REDACTED]

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

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

I am writing to provide the Alpha Rho chapter of Pi Kappa Alpha 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 (I) Alcohol. Use, underage intoxication, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable university policy or facility policy.
- 3335-23-04 (B1) Endangering behavior. Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action.
- 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 (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.
- 3335-23-04 (M8) Student conduct system abuse - Failure to comply with sanctions. Failure to comply with one or more sanctions imposed under the code of student conduct.

On October 9, 2020, the Alpha Rho chapter of Pi Kappa Alpha violated the following sections of the Code of Student Conduct:

- The chapter hosted an in-person event/gathering at their chapter house failing to abide by the Buckeye Pledge and applicable health orders/directives including, but not limited to, the lack of physical distancing, hosting an event/gathering of greater than ten (10) individuals, and/or no face masks being worn to limit the spread of COVID-19.
- Alcohol was made available at the event/gathering through BYOB where attendees under the age of 21 years old were provided and/or permitted to consume alcohol.
- The chapter failed to comply with the sanctions issued in case 2018452701, specifically by not having a paid bartender service and paid security service. These sanctions were issued on June 19, 2019, due to an incident in which a violation occurred for alcohol and endangering behavior.

## **Sanction Consideration**

### Prior Conduct History

Student Conduct issued an outcome letter on August 21, 2018 to the chapter for violating the alcohol and endangering behaviors sections of the Code of Student Conduct. The chapter was placed on disciplinary probation through May 5, 2019, was limited to 10 events with alcohol in the fall 2018 semester, and was required to complete: three (3) alcohol education programs, a risk management policy review; and two meetings with Student Conduct and Sorority and Fraternity Life Staff during the fall 2018 and spring 2019 semesters. Additionally, while on disciplinary probation, the chapter was required to hire trained and insured security services and third-party bartender for events put on by the chapter when alcohol was available.

While the Alpha Rho chapter was on disciplinary probation, Student Conduct received a report of an incident where the chapter hosted an event where they failed to implement proper risk management processes and did not have third-party bartender or trained security present, which resulted in individuals under the age of 21 being provided alcohol and one guest experiencing adverse reactions. This led to an investigation and to the chapter accepting responsibility for violating the alcohol, endangering behavior, and failure to comply with sanctions sections of the Code of Student Conduct.

As a result of the second incident, in an outcome delivered on June 19, 2019, the Alpha Rho chapter's disciplinary probation was extended through May 9, 2021, and included the requirement of having trained and insured security services and third-party bartender for events put on by the chapter when alcohol was available while on disciplinary probation. The incident on October 9, 2020 involving violations of the alcohol, endangering behavior, failure to comply, violation of university rules or federal, state, and local laws, and failure to comply with sanctions sections of the Code, therefore, occurred while the chapter was under disciplinary probation.

### Involvement and Engagement

The Pi Kappa Alpha International Fraternity has been present and available throughout the entirety of this conduct process, as well as during previous investigations. For each incident, they have provided evidence of their commitment to support the chapter today and moving forward.

The International Fraternity understands the significance and impact of the continued incidents, and the need for change. The International Fraternity's proposed decision to surrender the charter demonstrate a need for a comprehensive restructuring of chapter operations and new membership.

I share this previous conduct history and involvement from the International Fraternity in an effort to help you understand the extent Student Conduct has continued to support and educate the chapter to become a model for hosting safe events and creating an environment consistent with the values of Ohio State University and Pi Kappa Alpha. There is a systemic issue with alcohol use in the chapter, particularly in its failure to use the appropriate risk management practices. Despite changes in leadership within the chapter, a problematic culture around alcohol has continued to flourish and, as demonstrated in this case, a disregard for the previous conduct case history and the requirements of the Alpha Rho chapter.

## **Sanction**

### Revocation

Due to the chapter's failure to comply with the legitimate directives of a university official; the collective decision to host an event counter to the Buckeye Pledge and applicable health orders in place to limit the spread of COVID-19; and the chapter's past conduct history, I have determined the most appropriate and proportionate response is the revocation of the chapter's registration. I hope this outcome provides Pi Kappa Alpha International Fraternity the opportunity to develop a culture that mirrors its vision and values in its re-established chapter.

The chapter's registration as a student organization is revoked effective January 26, 2021, or upon the date of an appeal decision (if the chapter submits an appeal and the revocation is upheld) through August 4, 2024.

With the chapter's revocation of recognition as a registered student organization at Ohio State, your chapter no longer has the rights and privileges afforded to a recognized fraternity or student organization. Those rights and privileges include, but are not limited to, the following:

- Listing in the online student organization directory
- \$250 line-of-credit to be used in the Resource Room
- Opportunity to apply for Operating Funds and Programming Funds
- Discounted rates for on-campus space reservations
- Opportunity to register for the Student Involvement Fair
- Opportunity to register for the Homecoming Parade
- Opportunity to apply for office or locker space in the KBK Center for Student Leadership and Service
- Access to Student Organization Success Coaches
- Access to enhanced training and workshops through Student Activities
- Access to free marketing resources
- Access to free website hosting, email address and/or email listserv
- Participation in governing council and SFL community events and programming put on by SFL staff or the Greek Programming Board
- Membership in honor societies such as Order of Omega
- New and active member ongoing education via the Standards of Excellence program and

council programming

- Recognition in the Sorority and Fraternity Life Awards program
- Ability to host social events with the National Panhellenic Conference (NPC) sororities and their members in the Panhellenic Association.

Students using your organization's name or likeness (e.g., Greek letters) or otherwise claiming to act as Pi Kappa Alpha while engaging in behavior that violates the Code of Student Conduct are subjecting themselves to potential disciplinary action in their individual capacities, which could result in sanctions up to and including dismissal from the university. Likewise, if they are operating on behalf of Pi Kappa Alpha, this could open a new case against your organization that potentially could extend your revocation term.

This outcome letter does not replace or nullify any sanctions or stipulations set forth by prior outcome letters, your organization's national organization, advisors, Sorority and Fraternity Life or the IFC.

### Reestablishment

Pi Kappa Alpha's international organization must begin communication one year prior to reestablishing, but no sooner than January 1, 2023.

In discussing its return to our community, Pi Kappa Alpha's representatives must meet with the Director of Sorority and Fraternity Life, or designee, to discuss the current campus environment and what requirements must be completed before the reestablishing process and during the chapter's first year. These conversations will occur in consultation with the Director of Student Conduct, or designee.

In determining whether to permit reestablishment of a chapter at Ohio State in August of 2024, Sorority and Fraternity Life and Student Conduct will take into consideration the organization's efforts to remedy or eliminate underground activity while the chapter remains deactivated. We encourage Pi Kappa Alpha representatives to provide Student Conduct with any documentation related to these efforts.

### Petition for Early Return

Student Conduct values the involvement of international organizations who actively work to support the health and safety of Ohio State students and our community. Because representatives of the international organization and local advisors have consistently been present during the conduct proceedings, we anticipate the international organization is invested in fostering a strong, vibrant, safe, and healthy Sorority and Fraternity community at the university. Accordingly, we are offering the international organization the opportunity to reestablish prior to August of 2024.

In order to petition for an early return, the international fraternity must:

- revoke the Alpha Rho chapter's charter to eliminate the ongoing systemic issues within the current chapter
- Pi Kappa Alpha International Fraternity has previously voted on January 19, 2021 to accept the surrender of Alpha Rho Chapter's Charter and subsequently suspend the

- charter with recommendation for revocation at the next International Convention.
- eliminate and/or show ongoing attempts to eliminate underground (i.e., "rogue" off-campus group) activity
- to the extent the international fraternity owns/operates and/or can collaborate with the housing board, it must show evidence of efforts to control occupancy of the identified chapter house to remove any current members and to have a process in place to avoid leasing to members who are part of any potential underground group
- agree to re-establish as a member of the appropriate council within Sorority and Fraternity Life

You may begin conversations to submit a petition with the Director of Sorority and Fraternity Life, or designees, no sooner than August 17, 2021. If the petition is accepted you may not begin the reestablishment process before August 2022. Your petition must include the following in addition to any information identified by the Director of Sorority and Fraternity Life:

- recruitment strategies
- new member reviews and criteria
- alumni and advisor involvement
- selection of consultants and new chapter coordinators
- new member education plans
- alcohol and risk management policies

The final decision to re-establish a chapter at Ohio State University belongs to the IFC in collaboration with Sorority and Fraternity Life and Student Conduct.

### **Chapter Communication Plan**

It is important that all active members, new members, and those who work closely with the chapter be aware of this outcome. Students using your organization's name or likeness (e.g., Greek letters) or otherwise claiming to act as Pi Kappa Alpha while engaging in behavior that violates the Code of Student Conduct are subjecting themselves to potential disciplinary action in their individual capacities, which could result in sanctions up to and including dismissal from the university.

Thus, at the end of the appeal period, the 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.

### **Requests for Extensions and Modifications**

Any request for an extension or a modification of any outcome must come from the chapter president to volkman.9@osu.edu. The request must contain a detailed explanation of the reason



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 the general Student Conduct email on all sanction items. That address is [studentconduct@osu.edu](mailto:studentconduct@osu.edu).

### **Appeal**

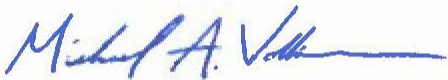
Because you accepted responsibility, you may only appeal on the basis that the disciplinary sanction is grossly disproportionate to the violation committed. To do so, you must submit your appeal in writing no later than 4:00 p.m. on February 2, 2021. You should use the online appeal form found at <https://go.osu.edu/appeals>, or the form attached to this letter to submit your appeal. If you elect to use the attached document, please scan and email it by the deadline to [volkman.9@osu.edu](mailto:volkman.9@osu.edu).

If you do not submit an appeal, this decision will be effective at the end of your appeal period. If you have any questions, call (614) 292-0748 prior to the expiration 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](mailto: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,



Michael Volkman  
Senior 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]  
Chapter Advisor - Steven Jackson  
Pi Kappa Alpha Headquarters - David Locke

## **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 \_\_\_\_\_