

Case No: [REDACTED]

Organization Name: Pi Kappa Alpha

Charge Date:

Hearing Date: February 3, 2021

- Incident report/complaint
- Notice of investigation/meeting request

Note -- this case was held after a resolution was reached in [REDACTED]

10/21/2020

EthicsPoint Incident Management

**Case: 126 - Hotline Web
Student Conduct
General Student Issues**

Case Snapshot

Opened: 10/20/2020
Days open: Less than 24 hours
Last modified: 10/21/2020 8:51 AM
Intake method: Hotline Web
Status: Open
Alert: Green

General Case Info

Case number:
126
Received/Reported date:
10/20/2020
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

10/21/2020

EthicsPoint Incident Management

Location/Address:

Off Campus house

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:

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

Do Not Know / Do Not Wish To Disclose

Is management aware of this problem?

Do Not Know / Do Not Wish To Disclose

Where did this incident or violation occur?

Pi Kappa Alpha threw an off campus party on Saturday, October 17th. No masks or social distancing at all and the police were even called to the residence, causing everyone to run from the premises.

Please provide the specific or approximate time this incident occurred:

Saturday, October 17, 2020

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

1 to 3 months

How did you become aware of this violation?

I observed it

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

Pi Kappa Alpha has been throwing parties every weekend in their fraternity house and organizing parties at members off campus houses.

10/21/2020

EthicsPoint Incident Management

Details:

Pi Kappa Alpha hosted an unsanctioned off campus party, alcohol provided by their "slush fund," No masks, no coronavirus precautions. The party was hosted by [REDACTED] a Pi Kappa Alpha member.

Follow-ups

Reporter Additional Information

There are no additional notes for this incident.

Questions/Comments and Reporter Responses

10/21/2020 - Reeb, Krystal

Question: Thank you for the information provided. Can you share the address where the event was hosted? I know many times parties are posted on social media. Are you able to share any screenshots or other evidence that would be helpful as we look into your report?

You should be able to update this report with the additional evidence or please feel free to email me at reeb.47@osu.edu.

It is very helpful when we're able to meet with a reporting party to verify the information submitted. Please call 614-292-0748 and request a "Witness Meeting" and state you wish to schedule without providing your name. Our investigator will meet with you, explain the investigation process, and will record the information you share without including identifying information. You can also email me at reeb.47@osu.edu and I can help you schedule.

Thank you,
Krystal Reeb
Associate Director of Student Conduct
reeb.47@osu.edu

Info Contributors

None

Participants

Name	Job Title	Relationship	Role	Results	Notes
[REDACTED]	[REDACTED]	None	None	None	
[REDACTED]	[REDACTED]	None	None	None	

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 17, 2020. The report details concerns related to the Alpha Rho chapter of Pi Kappa Alpha hosting an event and/or gathering with alcohol 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.

I am directing 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 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.

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

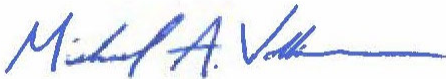
you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at 614-292-6207 (voice), 614-688-8605 (TTY), ada-osu@osu.edu, or visit <https://ada.osu.edu/>. One week's notice will allow for seamless access. Should 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 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,

A handwritten signature in blue ink that reads "Michael A. Volkman". The signature is fluid and cursive, with a long horizontal stroke at the end.

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.

- 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.