

The Ohio State University  
Hazing Incident Report

Submitted on September 2, 2020 at 8:05:12 am EDT

Nature: **Hazing**  
Urgency: **Normal**  
Incident Date and Time: **2020-09-01 6:30 PM**  
Incident Location: **Off Campus 174 East Woodruff Ave. (Theta Xi Fraternity)**

Reported by

Name:  
Title:  
Email: [REDACTED]  
Phone:  
Address:  
**[UNAUTHENTICATED]**

Involved Organizations/Individuals

**Theta Xi ()**

Alleged 174 East Woodruff Ave

**[REDACTED] ()**

Alleged

Questions

Please provide a description of the incident(s). Try to include as much detail as possible, including the name(s) of those present and/or involved, date(s) and time(s), location(s), etc.

**I live near the Theta Xi house and know some of the members. I recently heard they were having I-week, despite student organization banning events until September 9. I saw a bunch of people show up to the house at 6:30 pm on Tuesday, September 1. They never left and I know they make them stay the night, which is hazing. I've heard rumors that hazing is definitely going on and I know enough about Theta Xi to know that they are probably true.**

Is the hazing that you have experienced or witnessed ongoing/currently occurring?

**Yes**

What is your desired outcome in making this report?

**To hold theta Xi accountable for holding large events despite coronavirus and to stop the hazing that I know is going on.**

If you are submitting this report anonymously, please consider also using the university's anonymous reporting line described above. If you are only submitting this form, understanding our ability to fully investigate is limited, what do you hope will result from your report?

**To stop theta Xi from having large events during coronavirus and stop hazing new members.**

Have you reported this information to any of the following:

**family member or friend**

You may use this space to offer any other information you wish to share at this time.

**I know hazing is going on and it should be stopped immediately. Pledges will speak up about the hazing if given the opportunity. Thank you**

*Submitted from 174.103.123.88 and routed to Kelly B. Smith (Director). Processed by routing rule #68.  
Copies to: reeb.47@osu.edu*

**The Ohio State University  
Hazing Incident Report**

*Submitted on September 2, 2020 at 8:05:12 am EDT. Last modified September 2, 2020 at 11:46:53 am EDT.*

Nature: **Hazing**  
Urgency: **Normal**  
Incident Date and Time: **2020-09-01 6:30 PM**  
Incident Location: **Off Campus 174 East Woodruff Ave. (Theta Xi Fraternity)**

Reported by

Name:  
Title:  
Email: [REDACTED]  
Phone:  
Address:

Involved Organizations/Individuals

**Theta Xi (ORG00031)**

Alleged 174 East Woodruff Ave

Questions

\*\* Please provide a description of the incident(s). Try to include as much detail as possible, including the name(s) of those present and/or involved, date(s) and time(s), location(s), etc.  
I live near the Theta Xi house and know some of the members. I recently heard they were having I-week, despite student organization banning events until September 9. I saw a bunch of people show up to the house at 6:30 pm on Tuesday, September 1. They never left and I know they make them stay the night, which is hazing. I've heard rumors that hazing is definitely going on and I know enough about Theta Xi to know that they are probably true.

\*\* Is the hazing that you have experienced or witnessed ongoing/currently occurring?  
Yes

\*\* What is your desired outcome in making this report?  
To hold theta Xi accountable for holding large events despite coronavirus and to stop the hazing that I know is going on.

\*\* If you are submitting this report anonymously, please consider also using the university's anonymous reporting line described above. If you are only submitting this form, understanding our ability to fully investigate is limited, what do you hope will result from your report?  
To stop theta Xi from having large events during coronavirus and stop hazing new members.

\*\* Have you reported this information to any of the following:  
family member or friend

\*\* You may use this space to offer any other information you wish to share at this time.  
I know hazing is going on and it should be stopped immediately. Pledges will speak up about the hazing if given the opportunity. Thank you

*Pending IR #00035175*

*Submitted from 174.103.123.88 and routed to Kelly B. Smith (Director)*

*Modified by Krystal Reeb on September 2, 2020 at 11:46:53 am EDT from 74.113.47.183*

**Case: COV 60 Hotline Web  
COVID-19  
Questions or concerns about Coronavirus**

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**Case Snapshot**

**Opened:** 08/28/2020  
**Days open:** 29  
**Last modified:** 08/29/2020 9:05 AM  
**Intake method:** Hotline Web  
**Status:** Open  
**Alert:** Green

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**General Case Info**

**Case number:**  
COV-60  
**Received/Reported date:**  
08/28/2020  
**Language:**  
English  
**Assigned tier:**  
COVID-19

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**Issue**

**Primary issue:**  
Questions or concerns about Coronavirus

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**Case Details**

**Reported tier information**

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

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**Location**

**Location/Address:**  
174 E. Woodruff Ave

**City:**

Columbus

**State/province:**

OH

**ZIP/postal code:**

43201

**Country:**

United States

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

No

**Reporter anonymous:**

Yes

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

Student

**Details:**

The Theta Xi Fraternity is planning on holding their initiation week this upcoming first week of September. Forcing new members to stay in the house for five nights certainly constitutes hazing, but it is made even worse by the potential spread of coronavirus. I am very worried about this and I hope action is taken. Thank you

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**Follow-ups****Reporter Additional Information**

There are no additional notes for this incident.

**Questions/Comments and Reporter Responses**

There are no questions asked by the client.

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**Assignments & Access**

**Case assignee(s):** Reeb, Krystal (Primary); Smith, Kelly (Primary)

**Restricted access:** None

**Case access list:** Booker, Antwan; Burlingame, Scott; Burns, Amy; Campbell-Anthony, Kathryn; Cannon, Lynise; Carson, Katelyn; Carter, Lynn; Clarke, Consuela; Cunningham, Christina; DeWitt, Jenn; Fraley, Andrew; Gaines, Michelle; Garrity-Rokous, Gates; Gibbs, Brandon; Glaros, Chris; Henneman, Kristie; Hoge, Kristi; Jakubowski, Michele; Kane, Jim; Malone, Johnette; Newell, Brian; Patton, Kevin; Ramey, Thomas; Reeb, Krystal; Rupp, Colleen; Smith, Darius; Smith, Kelly; Stoffel, Marc; Tang, Mary; Tobias, Jessica; Volkman, Michael; Whitney, Jill; Witschger, Jaime; Yarbrough, Carmeen

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**Info Contributors**

None

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### Participants

None

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### Items

Name	Description	Loss Type	Final Outcome	Amount Taken	Amount Recovered	Amount to Recover
Totals:				\$0.00	\$0.00	\$0.00

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### Agencies

None

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### Attachments

None

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### Synopsis

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#### Outcome of case

##### Primary outcome:

- Select One -

##### Secondary outcome 1:

- Select One -

##### Secondary outcome 2:

- Select One -

##### Action taken:

- Select One -

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#### Additional details

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### Tasks

None

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### Case Notes

None



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## Related Cases

### Cases Marked as Related to This Case

Case COV 60 has no listed relationships.



September 2, 2020

Chi Theta Xi  
Sent electronically to [REDACTED]

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

Dear [REDACTED] members of the Chi chapter of Theta Xi:

Student Conduct has received information that describes conduct by Theta Xi on September 1, 2020. The report details concerns related to hazing during initiation week and failure to abide by directives regarding holding in-person events. 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 (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 (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.

During this time you may not have any communication with your spring 2020 new member/pledges. You may, in consultation with your organization's advisor, notify your new members/pledges by email that new member/pledge activities have been put on hold until further notice. If you choose to send this email, you must forward a copy to me at [staten.88@osu.edu](mailto:staten.88@osu.edu).

As a leader of the organization, you must contact Student Conduct at 614-292-0748 **as soon as**



**possible**, and no later than September 7, 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 before our meeting.

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

- List of current members and their roles
- List of new member recruitment plan
- List of new members/pledges

**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 [staten.88@osu.edu](mailto:staten.88@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 September 7, 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 black ink, appearing to be "Brittany Statten", with a long horizontal line extending to the right.

Brittany Statten  
Case Manager

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas, Ed.D

[Redacted]

Maxwell Powers  
Emilee Burke

## 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.



September 9, 2020

Chi chapter of Theta Xi

Sent electronically to [REDACTED]

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

To the members of the Chi chapter of Theta Xi,

In accordance with the [Registration Guidelines for Student Organizations](#) and the [Code of Student Conduct](#), I have determined reasonable cause exists to believe that the activities of the Chi chapter of Theta Xi ("the chapter") pose a significant risk of substantial harm to the safety and security of its members, potential new members and others. This determination is based on allegations involving hazing; failing to comply with the Buckeye Pledge; and holding an event despite the temporary suspension of all in-person student organization events or gatherings of any kind on September 1, 2020.

As a result, I hereby place the chapter on interim suspension and temporarily discontinue the chapter's registration as a recognized student organization of The Ohio State University, pending a full investigation of this matter by the Office of Student Life Student Conduct.

**Terms of interim suspension**

During the period of this interim suspension, the chapter shall not be eligible to participate in any recognized student organization activities, including but not limited to chapter meetings or programs, Greek Council meetings and sponsored activities, Welcome Week activities, intramural sporting events, Greek Week, recruiting of new members, chapter social events or social events with any other student organizations. In addition, all membership intake activities must cease during the period of interim suspension.

**Failure to comply**

Failure to adhere to the terms of this interim suspension will subject the chapter and participating individual members to further disciplinary action under the Code of Student Conduct 3335-23-04 (G) for Failure to Comply with a University Official.

**Notice to membership**

You must forward this letter to all members and potential new members to place them on notice of the interim suspension. Further, this letter provides notice to individual members that they may be held responsible for failing to comply with the directives within this letter. Additionally, all members, like any students, are responsible for reading the Code of Student Conduct, including the following provisions:

### **Hazing**

3335-23-04 (L) Hazing. Doing, requiring, or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form.

Failure to intervene, prevent, or report acts of hazing may constitute a violation of this section.

### **Student conduct system abuse**

3335-23-04 (M) Student conduct system abuse. Abuse of any university student conduct system, including but not limited to:

1. Failure to obey the summons or directives of a student conduct body or university official;
2. Falsification, distortion, or misrepresentation of information before a student conduct body;
3. Disruption or interference with the orderly conduct of a student conduct proceeding;
4. Knowingly instituting a student conduct proceeding without cause;
5. Discouraging an individual's proper participation in or use of, a university student conduct system;
6. Influencing the impartiality of a member of a student conduct body prior to, and/or during the course of a student conduct proceeding;
7. Harassment and/or intimidation of a member of a student conduct body prior to, during, and/or after a student conduct proceeding;
8. Failure to comply with one or more sanctions imposed under the code of student conduct; and
9. Influencing another person to commit an abuse of a university student conduct system.

### **Amnesty**

3335-23-06 Amnesty. At the university's discretion, amnesty may be extended to students who may be hesitant to report a violation of the code to university officials because they fear that they themselves may be accused of minor policy violations, including but not limited to underage drinking, at the time of the incident. If a student is granted amnesty, an educational discussion or other informal resolution may be considered, but no university conduct proceedings under this code will result. At the university's discretion, amnesty may also be extended on a case-by-case basis for minor

policy violations when students request assistance for others in need, including the person receiving assistance. If a student is granted amnesty, an educational discussion or other informal resolution may be considered, but no university conduct proceedings under this code will result. In cases of academic misconduct, need does not include the inability of a student to complete an assignment without assistance.

You must copy Student Conduct at [studentconduct@osu.edu](mailto:studentconduct@osu.edu) and the Director of Sorority and Fraternity Life at [defreitas.12@osu.edu](mailto:defreitas.12@osu.edu) on the email sent to all members and new members within two hours of the receipt of this letter to ensure all members are aware of their individual responsibility during the interim suspension.

### **Request for reinstatement**

The chapter has the right to request reinstatement or modifications of the interim suspension. Requests must be in writing and must include supporting documentation or evidence that the chapter (or the proposed modification) does not pose or no longer poses a significant risk of substantial harm to the safety or security of themselves or others or to property.

Submit your written request by email to [lovell.113@osu.edu](mailto:lovell.113@osu.edu) and copy [studentconduct@osu.edu](mailto:studentconduct@osu.edu). Please consult the Code of Student Conduct, Section 3335-23-20, for a complete description of this process.

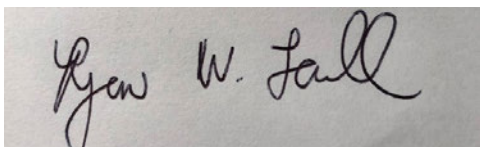
### **Notice to others**

We will share notice of this interim suspension with other university officials, Theta Xi, and other necessary members of the university community, including your peer organizations.

### **Student Conduct**

Your Student Conduct case manager will soon be in touch regarding the next steps in the conduct process. Please know that any efforts by the chapter, its members or other students acting on its behalf that could be considered retaliation or student conduct system abuse will not be tolerated and could result in additional disciplinary action against the chapter or the involved individual students.

Sincerely,

A rectangular box containing a handwritten signature in black ink. The signature is written in a cursive style and reads "Ryan W. Lovell".

Ryan Lovell  
Interim Dean of Students / Interim Assistant Vice President



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 - Maxwell Powers  
Theta Xi Director of Standards and Accountability - Emilee Burke

September 9, 2020

Chi chapter of Theta Xi Fraternity  
Sent electronically to [REDACTED]

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

Dear Chi:

I am writing to give you an update on your conduct case. At this stage of my investigation, there exists reasonable cause to issue one or more charge(s) under the Code of Student Conduct. Charging does not, however, assume that you are responsible for violating any sections of the code; it only causes the second half of our process to begin.

I have attached your Charge and Process Form (CPF) to this email. As you know, Ohio State is suspending face-to-face classes and transitioning to virtual learning for the remainder of the spring and summer semesters. We will be conducting all hearings via Carmen Zoom.

Please review the CPF and select your resolution option. Email your completed form to [staten.88@osu.edu](mailto:staten.88@osu.edu). **This form is due by 4:30 p.m. on September 11, 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.



Brittany Staten

Case Manager

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

**CHARGE AND PROCESS FORM**

Name: Chi chapter of Theta Xi Fraternity

Email: [REDACTED]

**I. Charge(s):** It is alleged that on September 1, 2020, you 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 (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.

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

It is alleged that on September 1, 2020, the Chi chapter of Theta Xi hosted the first night of “I-

Week” at their chapter house despite the temporary suspension of all in-person student organization events or gatherings of any kind issued on August 23, 2020.

Additionally, the chapter failed to abide by the Buckeye Pledge and applicable health orders/directives including, but not limited to, the lack of physical distancing, hosting an event/party of greater than ten (10) individuals, and/or no face masks being worn to limit the spread of COVID-19.

The Chi chapter required, encouraged, participated in, and/or facilitated activities or other conduct, whether or not the act was voluntarily agreed upon, in conjunction with initiation, that caused and/or created a substantial risk of causing mental and/or physical harm and/or humiliation. This includes, but is not limited to:

- New members being provided alcohol, including through structured drinking games such as “the stairs game,” “boom,” etc.
- New members staying overnight at the chapter house and being awoken at 4:00 a.m. for continued participation in a drinking game called “Tequila Sunrise.”

**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 [staten.88@osu.edu](mailto:staten.88@osu.edu) by **September 11, 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: \_\_\_\_\_

September 9, 2020 614-292-2098 Fax studentconduct.osu.edu

Chi chapter of Theta Xi Fraternity  
Sent electronically to [REDACTED]

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

Dear Chi:

I am writing to give you an update on your conduct case. At this stage of my investigation, there exists reasonable cause to issue one or more charge(s) under the Code of Student Conduct. Charging does not, however, assume that you are responsible for violating any sections of the code; it only causes the second half of our process to begin.

I have attached your Charge and Process Form (CPF) to this email. As you know, Ohio State is suspending face-to-face classes and transitioning to virtual learning for the remainder of the spring and summer semesters. We will be conducting all hearings via Carmen Zoom.

Please review the CPF and select your resolution option. Email your completed form to [staten.88@osu.edu](mailto:staten.88@osu.edu). **This form is due by 4:30 p.m. on September 11, 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.



Brittany Statten

Case Manager



**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

**CHARGE AND PROCESS FORM**

Name: Chi chapter of Theta Xi Fraternity

Email [REDACTED]

**I. Charge(s):** It is alleged that on September 1, 2020, you 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 (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.

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

It is alleged that on September 1, 2020, the Chi chapter of Theta Xi hosted the first night of “I-Week” at their chapter house despite the temporary suspension of all in-person student organization events or gatherings of any kind issued on August 23, 2020.



Additionally, the chapter failed to abide by the Buckeye Pledge and applicable health orders/directives including, but not limited to, the lack of physical distancing, hosting an event/party of greater than ten (10) individuals, and/or no face masks being worn to limit the spread of COVID-19.

The Chi chapter required, encouraged, participated in, and/or facilitated activities or other conduct, whether or not the act was voluntarily agreed upon, in conjunction with initiation, that caused and/or created a substantial risk of causing mental and/or physical harm and/or humiliation. This includes, but is not limited to:

- New members being provided alcohol, including through structured drinking games such as “the stairs game,” “boom,” etc.
- New members staying overnight at the chapter house and being awoken at 4:00 a.m. for continued participation in a drinking game called “Tequila Sunrise.”

**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 [staten.88@osu.edu](mailto:staten.88@osu.edu) by **September 11, 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: 09/11/2020

October 23, 2020

Chi chapter of Theta Xi

Sent electronically to [REDACTED]

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

Dear [REDACTED] members of the Chi chapter of Theta Xi:

I am writing to provide the Chi chapter of Theta Xi 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
- (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.

by engaging/or attempting to engage in conduct, that includes, but is not limited to hosting the first night of "I -Week" at the chapter house despite the temporary suspension of all in-person student organization events or gatherings of any kind issued on August 28, 2020.

Additionally, the chapter failed to abide by the Buckeye Pledge and applicable health orders/directives including, but not limited to, the lack of physical distancing, hosting an

event/party of greater than ten (10) individuals, and/or no face masks being worn to limit the spread of COVID-19.

The Chi chapter required, encouraged, participated in, and/or facilitated activities or other conduct, whether or not the act was voluntarily agreed upon, in conjunction with initiation, that caused and/or created a substantial risk of causing mental and/or physical harm and/or humiliation. This includes, but is not limited to:

- new members being provided alcohol, including through structured drinking games such as “the stairs game,” “boom,” etc.
- new members staying overnight at the chapter house and being awoken at 4:00 a.m. for continued participation in a drinking game called “Tequila Sunrise.”

### **Sanction Consideration**

I considered the following factors in determining appropriate sanctions:

- the chapter’s conduct history
- the chapter’s sanction recommendation
- the severity of the violations when considered on a continuum
- the cooperation and engagement of the chapter, its members, and local and national representatives

### **Sanctions**

#### **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 audit and recommitment by the Theta Xi Fraternity Headquarters, through December 18, 2021. The assessment must be completed no later than January 4, 2021. If the organization fails to complete the chapter and member audit and recommitment, and communicate the results, the Chi chapter’s status as a registered student organization will be revoked.

- A summary report of the chapter and member audit and recommitment must be emailed to me at [staten.88@osu.edu](mailto:staten.88@osu.edu) by January 8, 2021.
- A representative from the Chi chapter must meet with me and a member of Sorority and Fraternity Life (SFL) by January 15, 2021, to discuss the results and impact of the audit and recommitment. 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.

### Disciplinary Probation

Your chapter's disciplinary probation is effective immediately through December 18, 2021.

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.

### Social Restrictions

Your chapter is limited to hosting/co-hosting ten (10) events where alcohol is present for the remainder of the 2020-2021 academic year.

I expect your chapter to host events without alcohol. Your chapter must learn how to build brotherhood and socialize without relying on the presence of alcohol. Accordingly, in consultation with your SFL liaison, you must develop, plan and register a minimum of three (3) events during spring 2021, without the presence of alcohol. I strongly encourage your chapter to host more than three such events.

### New Member Process Plan and Presentation

Your chapter will review and revise its new member process. The goal is to produce a New Member Process Plan that creates an extraordinary new member experience that aligns with Theta Xi's standards and values. You will identify the purpose of the new member process (e.g., goals, experiences, learning outcomes) and evaluate how you can enhance the experience. You will identify high-risk portions of the process (e.g., bid week, Big and Little reveal, initiation week) that have traditionally involved alcohol or other drugs, hazing, or other endangering behavior.

I expect you to incorporate and address all applicable risk management requirements in your plan. You will develop a plan that aligns the process with your intended purpose while reducing the opportunities for high-risk situations to derail that purpose. To prevent hazing and/or endangering behavior, you must include alternative or new events during the identified high-risk portions. For example, if the day after bid-day is when members have traditionally participated in high-risk behavior with new members in order to establish a bond, you would plan a fun and engaging event to facilitate bonding that follows risk management requirements. Prior to implementing, and no later than January 15, 2021, at 4:30 p.m., you will email me at [staten.88@osu.edu](mailto:staten.88@osu.edu) a copy of the plan. I may require a follow-up meeting to discuss your review and proposed plan prior to its implementation.

Upon approval, you will implement the plan during the next allotted recruitment period. During the implementation, you are to observe and reflect on the process in order to be able to articulate what you have learned from the experience and areas you would like to improve in the future.

Before May 9, 2021, your chapter will give a 60-minute presentation to staff from Student Conduct and Sorority and Fraternity Life on the topic of Enhancing the New Member Experience. You should present information that your chapter learned from this experience. What worked? What didn't? What adjustments will you make next year? What can you do to

continue to shift the culture to accepting events and/or celebrations without alcohol? Please prepare slides and/or other materials for 20 minutes. The following 40 minutes are reserved for discussion between your chapter leaders and the staff present. While your entire membership should contribute to the presentation, only the executive board is required to attend the presentation.

### Hazing Prevention Course

As recommended by your chapter, all active and new members of the Chi chapter will complete the *Anti-Hazing Education* course. Your chapter must provide me confirmation that all members completed this course no later than December 20, 2020.

### Health and Safety Presentation

Your chapter will host a presentation regarding the health and safety expectations of the members of the Chi chapter during the spring 2021 semester. The presentation is to be co-led by a chapter advisor, alumni advisor, and/or staff from your national headquarters. You must inform me of the proposed date and time of this presentation no later than one week in advance.

At the conclusion of the presentation, Chi chapter members will be required to complete a quiz created by the chapter based on the content of the presentation. Once all members of the Chi chapter have completed their quiz, you must provide a confirmation of completion by emailing [staten.88@osu.edu](mailto:staten.88@osu.edu). This presentation, completion of the quiz, and confirmation of completion must be completed by March 1, 2021.

### Transition Binder

Leaders within organizations learn a lot during their tenure. However, these lessons learned can be quickly lost during transition periods. To document these lessons, your chapter will develop a "Transition Binder" or update its transition binder if one already exists. A transition binder can be in a physical or electronic format. This binder should minimally include:

- your chapter bylaws and/or constitution
- risk management policies and procedures (including a pre-event and post-event checklist to ensure compliance with your policies and procedures)
- other policies
- support resources available to the president/e-board/members to support all dimensions of wellness
- contact information and who/why/when to contact
- a minimum one paragraph "lesson learned" summary by each member holding a position within the chapter to guide the member taking over their role
- guidelines for maintaining the binder (e.g., who is responsible for the binder, when will it be updated, etc.)

You will review this transition binder with a member of the SFL staff before January 29, 2021, and make any changes or additions identified as necessary during that meeting. Your chapter will then email a final copy of the Chi chapter of Theta Xi Transition Binder to [staten.88@osu.edu](mailto:staten.88@osu.edu) by February 12, 2021.

## Officer Transition Meeting

To ensure a successful officer transition and to create an organizational memory, the chapter must plan and implement an officer transition meeting with myself, an SFL representative, the outgoing president, the incoming president, the Chapter Advisor, and at least three other incoming exec officers. This meeting should be completed no later than December 11, 2021.

### **Summary of dates**

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

- Deferred revocation and probation through December 18, 2021
- Chapter and member audit and recommitment due by January 4, 2021  
Events without alcohol – a minimum of 3 completed during the spring 2021 semester
  - Summary report due by January 8, 2021
  - Follow-up discussion due by January 15, 2021
- New member process plan and presentation  
Hazing prevention course due by December 20, 2020
  - Plan due no later than January 15, 2021, and prior to implantation
  - Presentation due before May 9, 2021
- Health and safety presentation completed by March 1, 2021
- Transition binder
  - Review with SFL by January 29, 2021
  - Final version submitted by February 12, 2021
- Officer transition meeting no later than December 11, 2021

Please review the university's Safe and Healthy Buckeyes guidelines on events and gathering found at <https://safeandhealthy.osu.edu/information/current-students/events-and-gatherings>. The university has a comprehensive plan for limiting population density across all campuses. An event is defined as a planned activity, other than academic classes scheduled as part of the university curriculum, that is held in a university building or outdoor space on a university campus or with a community partner. A gathering is defined as a formal or informal assembly of people that is either planned or spontaneous. These restrictions do not prohibit gatherings for the purpose of the expression of First Amendment protected speech.

### **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 [staten.88@osu.edu](mailto:staten.88@osu.edu) regarding any challenges your organization encounters. I can be flexible with due dates, as appropriate, if you are making a good-faith effort.

### **Adjustments due to COVID-19 Response**

These sanctions have been deliberately structured to promote learning in a “typical campus environment.” Should COVID-19 conditions alter that environment, Student Conduct reserves the right to extend any sanctions or sanction deadlines found in this letter. For example, should prohibitions on events and group meetings, impact the spring schedule for new member recruitment and training, the meetings with Student Conduct, would be pushed back a semester

to make sure that additional support is provided for multiple recruitment periods.

### **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 October 30, 2020. 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 [staten.88@osu.edu](mailto:staten.88@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,

A handwritten signature in black ink, appearing to read 'Brittany Staten', with a long horizontal line extending to the right.

Brittany Staten  
Case Manager

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas, Ed.D  
[REDACTED]  
Chapter Advisor - Maxwell Powers  
Theta Xi Fraternity, Director of Standards and Accountability - Emilee Burke