

Case No: [REDACTED]

Organization Name: Acacia

Charge Date: 2022-02-08

Hearing Date: March 4, 2022

- Incident report/complaint
- Interim suspension notice (if applicable)
- Notice of investigation/meeting request
- Notice of charges
- Response to charges
- Outcome letter

The Ohio State University
Hazing Incident Report

Submitted on November 1, 2021 at 2:38:04 pm EDT

Nature **Hazing**
Urgency **Normal**
Incident Date and Time **2021-09-01 N/A**
Incident Location **Off Campus**

Reported by

Name: **Emma Anderson**
Title:
Email: **anderson.3443@osu.edu**
Phone
Address: **[Authenticated as Emma Anderson (she/her)]**

Involved Organizations/Individuals

ACACIA ()
Alleged

Victim [Redacted]

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.

During a meeting with [Redacted]
[Redacted]
[Redacted]
[Redacted] including the following hazing activities taking place:

- "Unpaid slave labor," including performing physical activities, picking up and delivering four active members, and arriving places very early in the morning to help with tasks.
- Being subjected to bullying including being told complete physical activities, such as getting into a plank position, or doing pushups while members yelled and watched.
- A culture of very heavy drinking, though he stated that he was never encouraged to drink, but the heavy drinking culture and alcohol were readily accessible.

[Redacted]

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

Yes

What is your desired outcome in making this report?

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?

N/A

Have you reported this information to any of the following:
other university employee or office

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

Student Conduct strives to uphold the privacy wishes of those who submit reports. It is important to note that, in order to comply with federal, state and local laws, as well as Ohio State policies, Student Conduct may be required to share information from this report with other university employees, law enforcement, or any Ohio State students charged with violating the Code of Student Conduct. To better understand when and how Student Conduct shares information, please call 614-292-0748 and ask to speak with a staff member.

I understand Student Conduct may be required to share information found in this report with other employees, law enforcement or students charged with violating the Code of Student Conduct based on an investigation initiated by this report.

I have provided my name, phone number and email address so that I can verify elements of this report or respond to additional questions.

I have provided my name and contact information.

Pending IR #00058615

Submitted from 104.6.253.84 and routed to Kelly B. Smith (she/her) (Director). Processed by routing rule #68.

Copies to: reeb.47@osu.edu

The Ohio State University
Hazing Incident Report

Submitted on November 1, 2021 at 2:38:04 pm EDT. Last modified November 2, 2021 at 8:54:22 am EDT.

Nature **Hazing**
Urgency **Normal**
Incident Date and Time **2021-09-01 N/A**
Incident Location **Off Campus**

Reported by

Name: **Emma Anderson**
Title:
Email: **anderson.3443@osu.edu**
Phone
Address:

Involved Organizations/Individuals

Acacia (ORG00054)

Alleged

[REDACTED] [REDACTED] [REDACTED]
Victim [REDACTED]

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.

During a meeting with [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] including the following hazing activities taking place:

- "Unpaid slave labor," including performing physical activities, picking up and delivering four active members, and arriving places very early in the morning to help with tasks.
- Being subjected to bullying including being told complete physical activities, such as getting into a plank position, or doing pushups while members yelled and watched.
- A culture of very heavy drinking, though he stated that he was never encouraged to drink, but the heavy drinking culture and alcohol were readily accessible.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

Yes

What is your desired outcome in making this report?

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?

N/A

Have you reported this information to any of the following:
other university employee or office

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

Student Conduct strives to uphold the privacy wishes of those who submit reports. It is important to note that, in order to comply with federal, state and local laws, as well as Ohio State policies, Student Conduct may be required to share information from this report with other university employees, law enforcement, or any Ohio State students charged with violating the Code of Student Conduct. To better understand when and how Student Conduct shares information, please call 614-292-0748 and ask to speak with a staff member.

I understand Student Conduct may be required to share information found in this report with other employees, law enforcement or students charged with violating the Code of Student Conduct based on an investigation initiated by this report.

I have provided my name, phone number and email address so that I can verify elements of this report or respond to additional questions.

I have provided my name and contact information.

Pending IR #00058615

Submitted from 104.6.253.84 and routed to Kelly B. Smith (she/her) (Director)

Modified by Krystal Reeb (she/her) on November 2, 2021 at 8:54:22 am EDT from 128.146.231.9

Copies originally to: reeb.47@osu.edu

The Ohio State University Hazing Incident Report

Submitted on November 30, 2021 at 12:45:32 pm EST

Nature **Hazing**
Urgency **Normal**
Incident Date and Time **2021-11-30 7:00 PM**
Incident Location **On Campus Acatia main house**

Reported by

Name: **Roomate of a pledge**
Title:
Email: **dontcontactme@gmail.com**
Phone: **[REDACTED]**
Address: **[UNAUTHENTICATED]**

Involved Organizations/Individuals

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.

My roommate received a text saying that he has to spend 3 days in the Acacia house basement starting tonight, he is very bothered/anxious/panicking. It's starts tonight from what I've heard.

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

No

What is your desired outcome in making this report?

Help out a friend

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?

Put an end to him getting hazed

Have you reported this information to any of the following:

I have not reported this or shared information about this with anyone else

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

Student Conduct strives to uphold the privacy wishes of those who submit reports. It is important to note that, in order to comply with federal, state and local laws, as well as Ohio State policies, Student Conduct may be required to share information from this report with other university employees, law enforcement, or any Ohio State students charged with violating the Code of Student Conduct. To better understand when and how Student Conduct shares information, please call 614-292-0748 and ask to speak with a staff member.

I understand Student Conduct may be required to share information found in this report with other employees, law enforcement or students charged with violating the Code of Student Conduct based on an investigation initiated by this report.

I have provided my name, phone number and email address so that I can verify elements of this report or respond to additional questions.

I have not provided my name and contact information and understand that this limits the university's ability to take further action and I also understand anonymous reports do not fulfill obligations to report found in the Code of Student Conduct or under Ohio Law.

Pending IR #00059704

Submitted from 75.118.81.148 and routed to Kelly B. Smith (she/her) (Director). Processed by routing rule #68.

Copies to: reeb.47@osu.edu

November 2, 2021

Waw Chapter of Acacia

Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED]

Thank you for taking my call a few minutes ago. Please carefully read the attached correspondence from Associate Dean of Students Ryan Lovell. Take care to follow the instructions in both attached letters, including notifying your membership of the interim suspension. Please email anderson.3443@osu.edu with your business hours availability to schedule your meeting with me.

Sincerely,



Emma Anderson (she/her)
Student Conduct Case Manager

CC: Associate Dean of Students - Ryan Lovell
Director of Sorority and Fraternity Life - Kim Monteaux De Freitas, EdD
Assistant Director of Sorority and Fraternity Life - Hunter Hartwig
[REDACTED]
Executive Director- Michael Weber
Chapter Advisor - Jeff Jordan

Chapter Advisor/House Corporation President - William Thornton



November 2, 2021

Waw Chapter of Acacia

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

To the members of the Waw chapter of Acacia:

In accordance with the Registration Guidelines for Student Organizations and the Code of Student Conduct, I have determined reasonable cause exists to believe the activities of the Waw chapter of Acacia pose a significant risk of substantial harm to the safety and security of its members, potential new members and others. As a result, I hereby place the Waw chapter on interim suspension pending a full investigation of this matter by the Office of Student Life Student Conduct.

Member list with contact information

Please refer to correspondence from Student Conduct on November 2, 2021, for a directive to provide a complete roster. As a reminder, I am requesting a list of the names and contact information for all current members and any non-members residing in your chapter house or any annex.

Contact information must include:

- first and last name
- **local address**
- email address
- cell number
- member status (new, initiated, disaffiliated, withdrew from new member process, non-member)

Additionally, please identify members holding leadership positions.

You must email the member list to me no later than 4:00 p.m. on Thursday, November 4, 2021.

Terms of interim suspension

During the period of this Interim Suspension, the Waw chapter shall not be eligible to participate in any recognized student organization activities, whether in-person or “virtually,” including but not limited to Chapter meetings or programs, Greek Council meetings and sponsored activities, intramural sporting events, recruiting of new members, chapter social events or social events with any other student organizations. **All new membership activities must cease during the period of Interim Suspension.**

Failure to adhere to the terms of this interim suspension of chapter activities 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 University Authority.

Notice to membership

You must forward this letter to all members and any non-member residents of your chapter house or any annex house to place them on notice of the interim suspension. Further, this letter provides notice to individual members and non-members that they may be held responsible for failing to comply with the directives within this letter

You must copy Student Conduct at studentconduct@osu.edu and the Director of Sorority and Fraternity Life at 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 Waw 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 Waw 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. Please consult the Code of Student Conduct, Section 3335-23-20, for a complete description of this process.

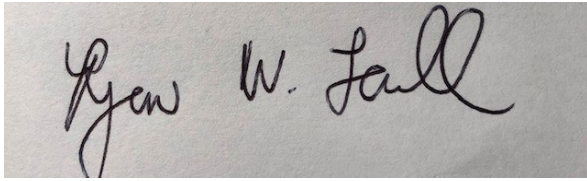
Notice to others

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

Investigation

It is important that you continue to follow all instructions and directives given to you by Student Conduct. Please know that any efforts by the Waw 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.

Sincerely,

A rectangular image showing a handwritten signature in black ink on a light-colored background. The signature is written in a cursive style and reads "Ryan W. Lovell".

Ryan Lovell
Associate Dean of Students

November 2, 2021

Waw Chapter of Acacia

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

To [REDACTED] and the members of the Waw chapter of Acacia:

Student Conduct has received information that describes conduct by the Waw chapter of Acacia throughout the autumn 2021 semester. The report details concerns related to the alleged hazing of new members. 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 (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.

As a leader of the organization, you must contact Student Conduct at 614-292-0748 **as soon as possible**, and no later than November 5, 2021, 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/internal investigation, text messages, photos, emails, etc., please email them to me at anderson.3443@osu.edu before our meeting.

Prior to our meeting, your chapter must provide a complete roster of all members in your chapter (i.e., new members/pledges and active members). A complete roster includes each member's:

- first and last name
- local address
- email address
- cell number
- member status (new, initiated, disaffiliated, withdrew from new member process, nonmember)
 - identify members holding leadership positions.

As a leader of the organization you are required to notify the entire membership of this matter. You must 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 anderson.3443@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 November 5, 2021 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 that reads "Emma Anderson". The signature is written in a cursive, slightly slanted style.

Emma Anderson (she/her)
Student Conduct Case Manager

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)**
 - University staff members authorized to investigate complaints usually request a meeting with students prior to issuing charges.
 - Once charges are issued, students can request another meeting.
 - 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)**
 - The advisor may be any person other than a witness.
 - 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)**
 - 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)**
 - 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.

Waw Chapter of Acacia

Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED] and the members of the Waw chapter of Acacia:

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

Investigative Materials

You can access investigative materials, including an investigative summary through OneDrive. Please understand that this investigative packet is a draft. Should you choose a hearing to resolve the charges, our office may add to the packet (we would give you notice if this happens) and you will likewise be invited to add relevant material.

I have attached instructions on how to access the investigative materials through OneDrive. When prompted for a password, use: [REDACTED] If you are unable to access the packet, please let me know.

Because the packet contains documents protected by federal educational records law, you may not save, print, screenshot, photograph, or otherwise seek to "record" the document. However, you may take personal notes.

If you would like to review the hearing packet with your advisor, we must first have a FERPA Release of Information form (attached) on file documenting your permission for their participation. The university's Responsible Use of University Computing and Network Resources policy prohibits sharing your username and password with others. If you cannot review materials with your advisor in person, please consider screen sharing over Carmen Zoom.

Charge and Process Form

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

Once you have completed the form electronically or by hand, email it to anderson.3443@osu.edu. This form is due by 4:30 p.m. on February 15, 2022. Failure to return this form may result in Student Conduct issuing an administrative decision pursuant to section 3335-23-09 of the Code of Student Conduct, or scheduling an administrative hearing to resolve the charges.

Students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at 614-292-6207 (voice), 614-688-8605 (TTY), ada-osu@osu.edu, or visit <https://ada.osu.edu/>.

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 email me at anderson.3443@osu.edu if you have any questions.

Sincerely,

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

Emma Anderson (she/her)
Student Conduct Case Manager

CC: Jeff Jordan- Advisor
Bill Thornton- Advisor

Michael Weber- Acacia Executive Director

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE AND PROCESS FORM

Name: [REDACTED] and the members of the Waw chapter of Acacia

Email: [REDACTED]

I. Charge(s): It is alleged that during the spring and autumn 2021 semesters, the Waw chapter of Acacia 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 (E) Dishonest Conduct. Dishonest conduct, including, but not limited to, knowingly reporting a false emergency; knowingly making false accusation of misconduct; misuse or falsification of university or related documents by actions such as forgery, alteration, or improper transfer; possession, use or manufacturing of a false identification document; submission of information known by the submitter to be false to a university official.

Rosters provided to Sorority and Fraternity Life (SFL) and Student Conduct did not accurately represent membership of the Waw chapter. Specifically:

- students who were part of an off the books pledge class (PC) in autumn 2021 were not reported, and
- students who were new members in the spring 2021 semester, were not reported, and were falsely listed as new members in autumn 2021.

During the spring 2021 semester, from January 22, 2021 to April 5, 2021, the Waw chapter was under an interim suspension, as identified in case [REDACTED] and as such was not permitted to engage in any activities. The recruitment and interactions with the new member class in the spring 2021 semester failed to comply with the directives contained in the interim suspension.

Over the course of the autumn 2021 semester students in the undisclosed autumn 2021 PC were required to participate in activities that caused or created a substantial risk of causing mental or physical harm or humiliation, in conjunction with participation and/or initiation with the organization. These activities included, but are not limited to encouraging and/or requiring members of the PC to:

- conduct interviews with active members, where gestures, for example moving furniture for the active member may be completed
- deliver food and drinks to active members
- complete calisthenics, for example, pushups and planks
- complete tasks, including cleaning the fraternity house, and setting up and cleaning up after events, which require early morning arrival times

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

_____ On behalf of the Waw chapter of Acacia I accept responsibility for the violation(s) of the Code of Student Conduct as listed in Section I of this form. **I request an Administrative Decision.**

_____ On behalf of the Waw chapter of Acacia I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. **I request an Administrative Hearing before a University Hearing Officer.**

_____ On behalf of the Waw chapter of Acacia I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. **I request a hearing before the University Conduct Board. The preferred hearing day/times for the organization are:**

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

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

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

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

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

I have received notice of the charges. I will return this form by email to anderson.3443@osu.edu by **February 15, 2022** at 4:30 p.m. I understand that if I do not return the form, it may result in Student Conduct issuing an administrative decision pursuant to section 3335-23-09 of the Code of Student Conduct, or scheduling an administrative hearing to resolve the charges.

_____ : _____
Date: _____

Acknowledgements

Acacia Executive Board Member Signature: _____
Date: _____

Acacia Advisor Signature: _____
Date: _____

Emma Anderson (she/her)
Student Conduct Case Manager

Waw Chapter of Acacia

Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED] and the members of the Waw chapter of Acacia:

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

Investigative Materials

You can access investigative materials, including an investigative summary through OneDrive. Please understand that this investigative packet is a draft. Should you choose a hearing to resolve the charges, our office may add to the packet (we would give you notice if this happens) and you will likewise be invited to add relevant material.

I have attached instructions on how to access the investigative materials through OneDrive. When prompted for a password, use: [REDACTED] If you are unable to access the packet, please let me know.

Because the packet contains documents protected by federal educational records law, you may not save, print, screenshot, photograph, or otherwise seek to "record" the document. However, you may take personal notes.

If you would like to review the hearing packet with your advisor, we must first have a FERPA Release of Information form (attached) on file documenting your permission for their participation. The university's Responsible Use of University Computing and Network Resources policy prohibits sharing your username and password with others. If you cannot review materials with your advisor in person, please consider screen sharing over Carmen Zoom.

Charge and Process Form

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

Once you have completed the form electronically or by hand, email it to anderson.3443@osu.edu. This form is due by 4:30 p.m. on February 15, 2022. Failure to return this form may result in Student Conduct issuing an administrative decision pursuant to section 3335-23-09 of the Code of Student Conduct, or scheduling an administrative hearing to resolve the charges.

Students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at 614-292-6207 (voice), 614-688-8605 (TTY), ada-osu@osu.edu, or visit <https://ada.osu.edu/>.

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 email me at anderson.3443@osu.edu if you have any questions.

Sincerely,

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

Emma Anderson (she/her)
Student Conduct Case Manager

CC: Jeff Jordan- Advisor
Bill Thornton- Advisor

Michael Weber- Acacia Executive Director

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE AND PROCESS FORM

Name: [REDACTED] and the members of the Waw chapter of Acacia

Email: [REDACTED]

I. Charge(s): It is alleged that during the spring and autumn 2021 semesters, the Waw chapter of Acacia 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 (E) Dishonest Conduct. Dishonest conduct, including, but not limited to, knowingly reporting a false emergency; knowingly making false accusation of misconduct; misuse or falsification of university or related documents by actions such as forgery, alteration, or improper transfer; possession, use or manufacturing of a false identification document; submission of information known by the submitter to be false to a university official.

Rosters provided to Sorority and Fraternity Life (SFL) and Student Conduct did not accurately represent membership of the Waw chapter. Specifically:

- students who were part of an off the books pledge class (PC) in autumn 2021 were not reported, and
- students who were new members in the spring 2021 semester, were not reported, and were falsely listed as new members in autumn 2021.

During the spring 2021 semester, from January 22, 2021 to April 5, 2021, the Waw chapter was under an interim suspension, as identified in case [REDACTED] and as such was not permitted to engage in any activities. The recruitment and interactions with the new member class in the spring 2021 semester failed to comply with the directives contained in the interim suspension.

Over the course of the autumn 2021 semester students in the undisclosed autumn 2021 PC were required to participate in activities that caused or created a substantial risk of causing mental or physical harm or humiliation, in conjunction with participation and/or initiation with the organization. These activities included, but are not limited to encouraging and/or requiring members of the PC to:

- conduct interviews with active members, where gestures, for example moving furniture for the active member may be completed
- deliver food and drinks to active members
- complete calisthenics, for example, pushups and planks
- complete tasks, including cleaning the fraternity house, and setting up and cleaning up after events, which require early morning arrival times

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

[REDACTED] On behalf of the Waw chapter of Acacia I accept responsibility for the violation(s) of the Code of Student Conduct as listed in Section I of this form. **I request an Administrative Decision.**

_____ On behalf of the Waw chapter of Acacia I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. **I request an Administrative Hearing before a University Hearing Officer.**

_____ On behalf of the Waw chapter of Acacia I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. **I request a hearing before the University Conduct Board. The preferred hearing day/times for the organization are:**

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

_____Mondays starting at 1:00 p.m.

_____Fridays starting at 9:00 a.m.

_____Fridays starting at 1:00 p.m.

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

I have received notice of the charges. I will return this form by email to anderson.3443@osu.edu by **February 15, 2022** 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.

_____ [Redacted]
Date: February 15, 2022 _____ [Redacted]

Acknowledgements

Acacia Executive Board Member Signature: _____

Date: _____

Acacia Advisor Signature: _____ *W.M. Thornton* _____

Date: February 15, 2022 _____

Emma Anderson (she/her)
Student Conduct Case Manager

March 4, 2022

██████████ Acacia

Sent electronically to ██████████

PERSONAL AND CONFIDENTIAL

Regarding Case Number: ██████████

Dear ██████████ and the members of the Waw chapter of Acacia:

I am writing to provide the Waw chapter of Acacia 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 (E) Dishonest Conduct. Dishonest conduct, including, but not limited to, knowingly reporting a false emergency; knowingly making false accusation of misconduct; misuse or falsification of university or related documents by actions such as forgery, alteration, or improper transfer; possession, use or manufacturing of a false identification document; submission of information known by the submitter to be false to a university official.

Rosters provided to Sorority and Fraternity Life (SFL) and Student Conduct did not accurately

represent membership of the Waw chapter. Specifically:

- students who were part of an off the books pledge class (PC) in autumn 2021 were not reported, and
- students who were new members in the spring 2021 semester, were not reported, and were falsely listed as new members in autumn 2021.

During the spring 2021 semester, from January 22, 2021, to April 5, 2021, the Waw chapter was under an interim suspension, as identified in case [REDACTED] and as such was not permitted to engage in any activities. The recruitment and interactions with the new member class in the spring 2021 semester failed to comply with the directives contained in the interim suspension.

Over the course of the autumn 2021 semester students in the undisclosed autumn 2021 PC were required to participate in activities that caused or created a substantial risk of causing mental or physical harm or humiliation, in conjunction with participation and/or initiation with the organization. These activities include, but are not limited to, encouraging and/or requiring members of the PC to:

- conduct interviews with active members, where gestures, for example moving furniture for the active member may be completed
- deliver food and drinks to active members
- complete calisthenics, for example, pushups and planks
- complete tasks, including cleaning the fraternity house, and setting up and cleaning up after events, which require early morning arrival times

Sanction Consideration

In December 2020, after holding gatherings that violated health and safety guidelines, at which alcohol was provided to individuals under the age of 21, Student Conduct placed the Waw chapter on a deferred revocation status and disciplinary probation through December 2021. In March 2021, following an additional incident in January 2021, when the Waw chapter hosted an event prohibited by university directives, and failed to comply with active conduct sanctions, Student Conduct extended the period of deferred revocation and disciplinary probation through May 2022.

The sanctions resulting from the chapter's 2020-2021 Student Conduct cases provided clear guardrails to support the safety and success of the organization. The Waw chapter circumvented those guardrails and continued many operations covertly. The resulting, unauthorized and unrecognized new member classes and subsequent hazing activities, combined with dishonest behavior caused harm, and highlight systemic culture issues throughout the organization.

Outcome

Revocation

The chapter's registration as a student organization is revoked effective March 3, 2022, or upon the date of an appeal decision (if the chapter submits an appeal and the revocation is upheld) through, at the earliest, August 9, 2026.

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 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 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 Acacia 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. Additionally, if such activity occurs, it is possible that the revocation timeline for the organization could be extended.

This outcome letter does not replace or nullify any sanctions or stipulations set forth by prior outcome letters, your organization's international organization or advisors.

Re-establishment

Acacia's National Office may begin communication to re-establish a chapter at the university

four years after:

- revoking the Waw chapter's charter
- committing to eliminate underground (i.e., "rogue" off-campus group) activity by submitting a written plan to Student Conduct and Sorority and Fraternity Life that
 - (1) describes how – to the extent that the National Office owns, operates, and/or can collaborate with the local housing corporation – it will 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 a part of any potential underground group and
 - (2) explains how it will enforce its intellectual property interests against individuals who may represent themselves as members of Acacia during the period of revocation

Upon receipt of the National Office's plan and confirmation the charter was revoked, Student Conduct and Sorority and Fraternity Life will confirm a timeline for when the National Office can begin the re-establishment process. This timeline is contingent on the National Office's continued good faith efforts to take appropriate action to eliminate underground activity. Failure to fulfill these requirements will delay the organization from beginning the re-establishment process.

In discussing its return to our community, Acacia'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 re-establishing process and during the chapter's first year. These conversations will occur in consultation with the Director of Student Conduct, or designee.

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

Chapter Communication Plan

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
- 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 anderson.3443@osu.edu. The request must contain a detailed explanation of the reason for the request.

Retaliation

The Code of Student Conduct prohibits [retaliatory conduct](#) against anyone participating in our process or attempting to influence a student's participation in our process. We will take disciplinary action against anyone engaging in such behavior, up to and including separation from the university.

Staffing Change

If I am no longer an employee of Student Conduct or if my role were to change, another staff member will monitor your sanction completion. To account for such a change, please include the general Student Conduct email on all sanction items. That address is studentconduct@osu.edu.

Appeal

Because you accepted responsibility, you may only appeal on the basis that the disciplinary sanction is grossly disproportionate to the violation committed. To do so, you must submit your appeal in writing directed to the Senior Vice President for Student Life, no later than 4:00 p.m. on March 10, 2022. 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, along with any relevant documentation, by the deadline to anderson.3443@osu.edu. You may also fax the form and documentation to 614-292-2098.

During the appeal period, you may request access to the investigation packet. To request access, please email anderson.3443@osu.edu or smith.4941@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, 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,

Emma Anderson

Emma Anderson (she/her)
Student Conduct Case Manager

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas, EdD

Associate Dean of Students - Matt Couch

Associate Dean of Students - Ryan Lovell

████████████████████
Acacia Executive Director- Michael Weber

Acacia Advisor- Jeff Jordan

Acacia Advisor- Bill Thornton

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 _____