

Case No: [REDACTED]

Organization Name: Beta Theta Pi

Hearing Date: April 23, 2020

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

**From:** [REDACTED]  
**Sent:** Wednesday, February 19, 2020 5:31 PM  
**To:** SL Student Conduct <[studentconduct@osu.edu](mailto:studentconduct@osu.edu)>  
**Subject:** Greek Life

Hello Student Conduct,

I want to start off by saying that I am [REDACTED] at a fraternity on campus, Beta Theta Pi. I would like to keep everything about me anonymous as it could cause great friction between I and them. When I first joined, I had love everything about them, and everything seemed to be legit. A few days ago they told all of us that we were under investigation for not following strict rules. These were rules that I were not even aware of. Things such as checking id at the door, not serving to minors (obviously), having a drink limit, ect. These are things that Beta Theta Pi does not follow, and I believe this could be a big risk to many of people. I have seen countless times where young kids end up dying from precautions that were not taken like these such ones. Also the fraternity briefed us on possibly being associated with an assault of [REDACTED] I was unaware that this happened and do not know the details. They told us that they were going to try to work with [REDACTED] to coordinate a story that would cover it up. They also informed every pledge that we should expect an email from you guys concerning interviews, but they told us that they would prepare us with perfect lies to tell you guys what you wanted to here. I am not out to get anyone, I just want to be a good citizen and would hate to see good people be affected by things that should be accounted for.

Thank You

February 21, 2020

Beta Theta Pi  
Sent electronically to [REDACTED]

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

To the members of the Theta Delta chapter of Beta Theta Pi,

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 Theta Delta chapter of Beta Theta Pi, 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 and the distribution of alcohol during the spring 2020 semester.

As a result, I hereby place the Theta Delta chapter on interim suspension and temporarily discontinue the Theta Delta 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.

**Member list with contact information**

As part of the investigation, I am requesting a list of the names and contact information for:

- all current members,
- all new or initiated members that disaffiliated from the chapter during the spring 2020 semester, and
- all potential new members or students who have indicated an interest in joining your chapter.

Contact information must include:

- names
- email
- cell numbers
- school rank
- member status (new member, disaffiliated member, etc.).

**Terms of interim suspension**

During the period of this interim suspension, the Theta Delta 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**

(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**

(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 Theta Delta 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 Theta Delta 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). Please consult the Code of Student Conduct, Section 3335-23-20, for a complete description of this process.

### **Notice to others**

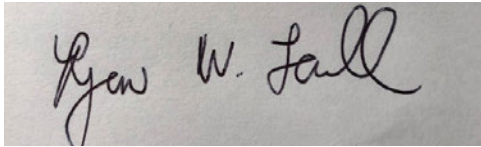
We will share notice of this interim suspension with other university officials, Beta Theta Pi, and

other necessary members of the university community, including your peer organizations.

### **Investigation**

Finally, Student Conduct will soon send notice of its investigation, including the name and contact information of the assigned case manager. It is important that you meet with the case manager and follow all instructions and directives given to you by Student Conduct. Please know that any efforts by the Theta Delta 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 appears to read "Ryan W. Lovell".

Ryan Lovell  
Interim Dean of Students / Interim Assistant Vice President

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas  
Interim Assistant Vice President for Student Life - Matt Couch, Ph.D.  
[REDACTED]  
Alumni Advisor - Aaron Moore  
Director of Chapter Services - Jacob Tidwell

February 21, 2020

Beta Theta Pi  
Sent electronically to [REDACTED]

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

Dear [REDACTED] and members of the Theta Delta chapter of Beta Theta Pi,

Student Conduct has received information that describes conduct by Beta Theta Pi during the spring 2020 semester. 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 (M) Student conduct system abuse

As a leader of the organization, you must contact Student Conduct at 614-292-0748 **as soon as possible**, and no later than February 26, 2020, to schedule a preliminary conference with me. The purpose of this conference is twofold. At this meeting, I will explain our process for determining whether charges for violations are warranted, and will answer any questions you may have about the conduct process. We will talk about what happened, and you will be able to identify any other individuals who may have information about the alleged incident. If you have any relevant materials, for example, your own written statement, text messages, photos, emails, etc., please email them to me at [reistad.1@osu.edu](mailto:reistad.1@osu.edu) before our meeting.

**As stated in your interim suspension letter, you must bring the following information with you to the meeting, or you may submit it prior:**

- A list of the names and contact information for:
  - all current members,
  - all new or initiated members that disaffiliated from the chapter during the spring 2020 semester, and
  - all potential new members or students who have indicated an interest in joining your chapter.

- Contact information must include:
  - names
  - email
  - cell numbers school rank
  - member status (new member, disaffiliated member, etc.).

**As a leader of the organization, you are required to notify the entire membership of this matter as stated in the letter you received from Interim Dean of Students, Ryan Lovell. You must include this letter in that communication.**

Should any individuals wish to provide information to me regarding this investigation they are encouraged to email me at [reistad.1@osu.edu](mailto:reistad.1@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. Upon request, Student Life's Student Advocacy Center (<http://advocacy.com>) is able to provide information and assistance in this 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 February 26, 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 that reads "Aaron Reistad". The signature is written in a cursive, flowing style.

Aaron Reistad  
Conduct Case Manager

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas  
Interim Assistant Vice President for Student Life - Matt Couch, Ph.D.  
Alumni Advisor - Aaron Moore  
Director of Chapter Services - Jacob Tidwell

## 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.

March 6, 2020

The Theta Delta chapter of Beta Theta Pi  
Sent electronically to [REDACTED]

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

To [REDACTED] and the members of the Theta Delta chapter of Beta Theta Pi:

Thank you for speaking with me to discuss Beta Theta Pi's conduct case. I am writing to give you an email record of the charges discussed and information shared during the meeting. 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 your organization is responsible for violating any sections of the code; it only causes the second half of our process to begin.

I have attached your organization's Charge and Process Form to this email. Please review it carefully and select your organization's resolution option. Our office 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, our office can provide an excuse letter for employers and instructors.

Once you have completed the charge and process form, you may scan and email it to reistad.1@osu.edu. This form is due by 4:30 p.m. on March 19, 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, or visit <https://ada.osu.edu/>.

Upon request, Student Life's Student Advocacy Center (<http://advocacy.osu.edu>) is able to provide information and assistance about this process.

Please call our office at 614-292-0748 between 8:00a.m. and 5:00p.m. Monday through Friday,

or email me if you have questions.

Sincerely,

A handwritten signature in black ink that reads "Aaron Reistad". The signature is written in a cursive, flowing style.

Aaron Reistad  
Conduct Case Manager

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas  
Aaron Moore  
Jacob Tidwell

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

**CHARGE AND PROCESS FORM**

Name: [REDACTED] and the members of the Theta Delta chapter of Beta Theta Pi

Email: [REDACTED]

**I. Charge(s):** It is alleged that from February 19, 2020 through February 25, 2020, the Theta Delta chapter of Beta Theta Pi violated the following sections of the Code of Student Conduct:

- 3335-23-04 (M5) Student conduct system abuse - Discouraging an individual's proper participation in, or use of, a university student conduct system
- 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.

The Theta Delta chapter of Beta Theta Pi encouraged and/or influenced the dishonest participation of new members in the Student Conduct process.

The Theta Delta chapter of Beta Theta Pi failed to abide by the Interim Suspension issued February 21, 2020 by meeting with new members and current members including chapter leadership on February 23, 2020 and February 25, 2020 at the chapter house.

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

\_\_\_\_\_ On behalf of the Theta Delta chapter of Beta Theta Pi 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 Theta Delta chapter of Beta Theta Pi 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 Theta Delta chapter of Beta Theta Pi 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 Theta Delta 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 reistad.1@osu.edu by **March 19, 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.

Beta Theta Pi [REDACTED] Signature: \_\_\_\_\_

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

Acknowledgements

Beta Theta Pi Executive Board Member Signature: \_\_\_\_\_

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

Beta Theta Pi Advisor Signature: \_\_\_\_\_

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



From: [REDACTED]  
Subject: Beta Theta P  
Date: March 17, 2020 at 10:22 AM  
To: Re stad, Aaron Z. re stad.1@osu.edu

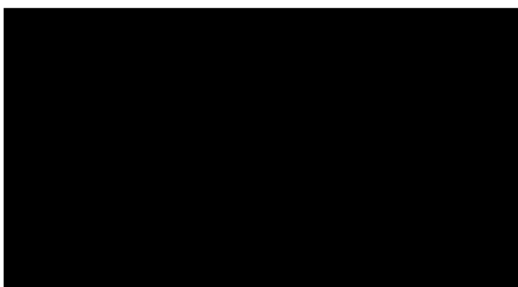


Hello Aaron,

Thank you for all of your help through this process. We appreciate the due diligence you took in the investigation. At this time, On behalf of the Theta Delta chapter of Beta Theta Pi I accept responsibility for all violations of the Code of Student Conduct as listed in Section I of the three forms provided. I request an Administrative Decision.

I am hoping that we can be given an extension to form our sanction recommendations. Life has been quite crazy lately with the Coronavirus updates every day. Let me know if this would be okay.

I hope you and your family stay well during this time! Thanks again.



Signatures.pdf



[REDACTED] Org  
Charge...eet.pdf



[REDACTED] Org  
Charge...eet.pdf



[REDACTED] Org  
Charge...eet.pdf

April 23, 2020

The Theta Delta chapter of Beta Theta Pi

Sent electronically to [REDACTED]

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

Dear [REDACTED] and members of the Theta Delta chapter of Beta Theta Pi,

I am writing with my decision in your conduct case. Your chapter accepted responsibility for the following violations of the Code of Student Conduct:

- 3335-23-04 (J): Alcohol - Use, underage intoxication, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable university policy or facility policy.
- 3335-23-04 (M5): Student Conduct System Abuse – Discouraging an individual’s proper participation in or use of a university conduct system.
- 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.

Specifically, it was alleged that on February 12, 13, and 19 – 25, 2020, the Theta Delta chapter of Beta Theta Pi (hereinafter “the chapter”) violated Ohio State’s Code of Student Conduct in the following manner:

- The chapter co-hosted an event with alcohol and failed to successfully implement risk management practices. This resulted in guests under the age of 21 being provided and consuming alcohol.
- The chapter encouraged and/or influenced the dishonest participation of new members in the Student Conduct process.
- The chapter failed to abide by the interim suspension issued February 21, 2020 by meeting with new members and current members including chapter leadership on February 23, 2020 and February 25, 2020 at the chapter house.

**Sanction Considerations**

I considered the following factors in determining appropriate sanctions:

- The chapter's recent conduct history
- The chapter's cooperative spirit throughout the conduct process
- The severity of the violation when considered on a continuum
- Beta Theta Pi Fraternity (hereinafter referred to as the "General Fraternity") and the chapter's proposed sanctions
- The collaboration and support of the General Fraternity's staff and advisors

This outcome letter does not replace or nullify any sanctions or stipulations set forth by the General Fraternity, advisors, Sorority and Fraternity Life, or IFC.

## **Sanctions**

### ***(1) Deferred Revocation of Registration***

At this time, I am deferring revocation of your chapter's status as a registered student organization. However, 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 qualifications of the Greek Housing Standard or the Greek Housing Implementation Report, or benefit from additional privileges provided to registered student organizations.

### ***(2) Disciplinary Probation***

Your chapter's disciplinary probation is effective immediately through May 9, 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.

### ***(3) Additional Sanctions***

On April 2, 2020, the General Fraternity's Director of Chapter Operations, Jacob Tidwell, provided a letter listing requirements and directives assigned to the Theta Delta chapter. The letter is attached.

The requirements and directives assigned to the chapter are extensive, appropriate, and intentionally crafted to prevent unacceptable behavior and future violations. Along with this, sanctions reflect an understanding of the severity of the violations and level of support by the General Fraternity, chapter officers, advisors, and the housing corporation.

It is my hope that by instating these value-driven directives as your chapter's required sanctions by the university that your chapter will thrive through the continued support surrounding you.

Therefore, for each of the directives assigned by the General Fraternity, the chapter is required to copy me ([reistad.1@osu.edu](mailto:reistad.1@osu.edu)) on all sanction completion communications sent to the General Fraternity so that I may ensure the sanction completion.

### ***(4) Follow Up Meetings***

Your organization must meet with me as follows:

- Twice during the autumn 2020 semester
  - Before September 10, 2020 (or before your first event with alcohol)
  - During the month of November 2020
- Twice during the spring 2021 semester
  - Prior to January 31, 2021
  - During the month of April 2020
- Once a semester during the 2021-2022 academic year

During these meetings, we will discuss areas of challenge and success the chapter has had throughout the year, how social events and risk management have been going, and plans for the future. These meetings will be an opportunity for us to connect and engage in dialogue regarding the sanctions the chapter has completed and check in on any that remain.

For each meeting, the president must be joined by a co-leader/s of their choice as well as a chapter advisor or representative from the General Fraternity in order to maintain a connection between your organization and Student Conduct.

#### **(5) Chapter Communication**

At the end of the appeal period, your chapter is required to email this outcome letter to all new (any person going through the new member or pledging process) and active members so that the entire chapter is aware of the chapter's status.

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.

#### **Summary of Dates**

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

- Deferred Revocation of Registration - Effective immediately through May 9, 2021
- Disciplinary Probation – Effective immediately through May 9, 2021
- Social Probation –
  - Autumn 2020 semester: Maximum of 5 events with alcohol at a third party venue and a minimum of 6 dry events
  - Spring 2021 semester: Maximum of 7 events with alcohol at a third party venue and minimum of 6 dry events
- Additional sanctioned aligned with the General Fraternity – Refer to the outcomes sent to the chapter on April 1, 2020 and attached to this letter. The chapter is required to copy me ([reistad.1@osu.edu](mailto:reistad.1@osu.edu)) on all sanction completion communications sent to the General Fraternity so that I may also mark the sanction as complete.
- Follow Up Meetings:
  - Twice during the autumn 2020 semester
    - Before September 10, 2020 (or before your first event with alcohol)
    - During the month of November 2020
  - Twice during the spring 2021 semester

- Prior to January 31, 2021
- During the month of April 2021
- Once a semester during the 2021-2022 academic year

### **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 to [reistad.1@osu.edu](mailto:reistad.1@osu.edu) regarding any challenges your chapter encounters. I can be flexible with due dates if you are making a good-faith effort.

### **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 [studentconduct@osu.edu](mailto:studentconduct@osu.edu) on all of the sanction items described in this letter.

### **Appeal**

Because your chapter accepted responsibility, you may only appeal on the basis that the disciplinary sanction imposed is grossly disproportionate to the violation committed. To do so, you must submit your appeal in writing, directed to the Vice President for Student Life, no later than 4:00 p.m. on April 30, 2020. Use the online appeal form found at <https://go.osu.edu/appeals> to submit your appeal. You may also submit a written appeal using the form attached to this letter. Please turn in that signed form along with any relevant documentation to the Office of Student Conduct, 550 Lincoln Tower, 1800 Cannon Dr., Columbus, OH 43210, by the deadline. If you do not submit an appeal, this decision will be effective at the end 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,



Aaron Reistad  
Conduct Case Manager

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas, Ed.D  
[REDACTED]  
Director of Chapter Operations - Jacob Tidwell  
Chapter Advisor - Aaron Moore

## **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:

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Received by: \_\_\_\_\_ Time \_\_\_\_\_

Date Stamp:

Delivered to Appeal Officer

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Date \_\_\_\_\_



March 30, 2020

[REDACTED]  
Theta Delta Chapter of Beta Theta Pi  
165 E. 15<sup>th</sup> Avenue  
Columbus, OH 43201

Dear Brother [REDACTED]

In light of events associated with the chapter's risk management issues during chapter events, I'm aware the chapter has violated *The Code of Beta Theta Pi*. The allegations include repeated failures of the chapter to comply with our established Risk Management Policy, to properly and safely limit access to chapter events, and to enforce guidelines for the consumption of alcohol during chapter events.

As of February 28, 2020, I placed the Theta Delta Beta Chapter on "Probation" status with the General Fraternity and implemented some directives regarding chapter operations. *The Code of Beta Theta Pi* defines probation as:

b. Chapter Operates Under Own Authority with Limitations. Statuses in this section allow a chapter to operate as a chapter of Beta Theta Pi under its own charter, but with such restrictions, limitations or conditions as might be imposed by the party making the designation. The letter changing the designation shall list the deficiencies the chapter needs to correct and a timetable for correction. The letter shall also state the chapter is on notice more serious action may be taken if not corrected:

(1) Definition of a Chapter On Probation: A chapter placed on probation is (1) a chapter that has failed to meet or has had difficulty meeting the standards of a chapter of Beta Theta Pi, and (2) has been placed on probation by the General Secretary, the Board of Trustees or the General Convention.

As of March 17, 2020, the chapter accepted responsibility for the university's allegations of violating the Code of Student Conduct. I commend the chapter for this action and appreciate how forthcoming you've been throughout the course of this investigation. In a collaborative effort between the General Fraternity, chapter officers, advisors, and house corporation, the following directives are required to be completed. All items that ask for documentation below must be documented via email. Documentation for risk management will utilize the General Fraternity's [Event Planning Guide](#).

### **Chapter Culture**

1. The Chapter will complete a membership re-commitment process.
  - a. During this process, the chapter will be on probation and unable to host events until the process is completed.
  - b. In July 2020, all active chapter members and pledges will each complete a membership application where members reaffirm their decision to be members of the chapter and

identify areas of concern for the chapter culture. Any member that refuses to meaningfully participate in the process shall be referred to the chapter's Kai Committee.

- c. In August 2020, the chapter will host a membership retreat to address the cultural issues identified in the application, correct chapter operations with formal changes to their constitution, craft a plan of action for the 2020-2021 academic year, and sign a commitment charter signifying their commitment to upholding the changes agreed upon during the retreat.
2. The Chapter shall add a Vice President of Alumni Relations to their executive team and formalize this position with a change to their chapter constitution.

### **Risk Management**

1. The chapter shall submit a full operations calendar a week prior to the start of the Fall 2020 and Spring 2021 semester to their advisory team, housing corporation, and general fraternity officers. Deviations from this calendar will require email approval of the District Chief or Assistant District Chief and be submitted for approval two weeks prior to the proposed change.
2. The chapter will develop a comprehensive risk management plan for their events for the Fall 2020 semester. This plan will be submitted to the Risk Management Advisor, Chapter Counselor, Assistant District Chief, District Chief, and Director of Chapter Operations, Theta Delta House Corporation president.
3. The chapter shall submit an incident report for any activity/event that involves a member of Beta Theta Pi regardless of the context of that situation.
4. The chapter shall be limited in their social activities in the following ways:
  - a. Moving forward, all events with alcohol will require the use of a 3<sup>rd</sup> party vendor; the chapter shall not be allowed to utilize a BYOB system.
  - b. Fall 2020
    - i. The chapter is limited to 5 social events during the term with alcohol.
    - ii. The chapter shall host at least 6 dry social events. These events should be a mix of brotherhood events and social events with other organizations.
    - iii. Logistics for each event must be approved by the advisory team a month ahead of the event, with final approval given by the DC.
      - c. Spring 2021
        - i. The chapter is limited to 7 social events during the term with alcohol.
        - ii. The chapter shall host at least 6 dry social events. These events should be a mix of brotherhood events and social events with other organizations.
          - iii. Logistics for each event must be approved by the advisory team a month ahead of the event, with final approval given by the DC.
  5. The chapter Risk Management Committee will conduct chapter wide risk management trainings with 90% chapter participation twice a semester. The focus of these trainings will be risk management at chapter events. Documentation of these sessions will be sent to the Administrative Office.
  6. In alignment with our value of intellectual development, the chapter will participate in educational workshops related to risk management:
    - a. Spring 2020:
      - i. Virtual risk management training session with a campus-based professional.
        1. The chapter must have 90% of its active roster participate.
        2. The workshop facilitator and curriculum must be approved by the General Fraternity Officer(s) in advance of the workshop.

- ii. Training for the executive team and risk management committee on the Code of Student Conduct.
  - 1. The entire executive team and risk management committee must participate.
  - 2. The workshop facilitator must be approved by the General Fraternity Officer(s) in advance of the workshop.
- b. 2020-2021 Workshop Topics:
  - i. Alcohol Training
  - ii. Hazing Prevention
  - iii. Sexual Misconduct Prevention
  - iv. The chapter is encouraged to utilize existing educational resources at The Ohio State University to fulfill this requirement.
  - v. The workshop facilitator(s) and content must be approved by the District Chief or Assistant District Chief prior to being completed
  - vi. The chapter must have 90% of the membership in attendance.
    - c. Documentation of these sessions will be sent the General Fraternity Officer(s) and Administrative Office.

#### **New Member Education**

1. The Leadership Consultant, Recruitment Advisor, and Vice President of Recruitment shall audit the current recruitment practices of the chapter and make recommendations to bring the chapter's recruitment practices into alignment with Beta Theta Pi's best practices for values based recruitment. The chapter shall act upon those recommendations.
2. The chapter will participate in Beta Theta Pi's [Son of the Stars New Member Orientation pilot program](#) during the 2020-2021 academic year.
  - o The [SOTS Commitment Agreement](#) must be submitted prior to April 15, 2020.
  - o The appropriate officer and advisor must participate in training program offered by the General Fraternity June 5-7, 2020 in Detroit, Michigan.
3. The chapter will complete a thorough ritual review and training on the proper conduct and uses of the rituals of Beta Theta Pi.
4. An initiated Beta alumnus will be present at all ritual events. This includes initiation, the pre-initiation ceremonies, new member induction, and the big brother ceremonies.
  - o The chapter will inform the District Chief a week prior to the ritual event which alumnus will be in attendance.
  - o The Theta Delta Alumni Association Board and Theta Delta House Corporation Board will be invited to formal initiation and will be informed of the date, time, and location at least 10 days prior. The chapter will also extend a courtesy invitation to both Boards to attend the other ritual events.

#### **Status Change**

1. The chapter shall operate under the status of Probation until the end of the Spring 2021 term. At the end of Spring Semester 2021, the District Chief or Assistant District Chief will evaluate the chapter's progress and return the chapter to *Good Standing* if all Directives have been met.

To note, at this point in time, nothing in the chapter's change of status affects its operations as a chapter of the fraternity, but with this status it does risk, should these issues not be targeted, further disciplinary action. The chapter is encouraged to work inclusively and exhaustively with their local advisors to target any lingering chapter culture issues.

Should the chapter leadership fail to follow through on these sanctions, it would be a testament to a failure of accountability and would place the Theta Delta Chapter in jeopardy of further status downgrades. Your status will be reviewed each term by the District Chief or Assistant District Chief. Should the chapter complete these directives, it can regain good standing (subject to the approval of the district chief and advisory team). As Men of Principle, your responsibility to reflect the Fraternity's values should be taken seriously as you are the leaders of your campus. It is my expectation that these directives are met in a timely fashion and the chapter understands that behavior putting students and Beta Theta Pi at risk will not be tolerated.

Beta Theta Pi strives to realize the vision of a fraternity that encourages men to establish a clear direction for themselves and for their chapters. Members of our fraternity practice responsible citizenship on their campuses and in their communities, they commit themselves to academic excellence and they establish a pattern of responsible personal conduct. The members of the Theta Delta Chapter should continue to do the same. These actions will ensure the success of lifelong brotherhood and the development of leadership.

Yours in \_\_\_\_*kai*\_\_\_\_,

Thomas Raimondi, *Ohio '16*  
District Chief

cc: Wayne Kay, General Secretary  
Jeff Rundle, Executive Director  
Jason Melton, Regional Chief  
Dan Dahlen, Assistant District Chief  
Erin McHale, Director of Chapter Services  
Jacob Tidwell, Director of Chapter Operations  
Ryan Eilts, Leadership Consultant  
Theta Delta Chapter Advisory Team  
Theta Delta Chapter Executive Officers