

Case No: [REDACTED]

Organization Name: Phi Sigma Kappa

Charge Date: April 12, 2023

Hearing Date: May 18, 2023

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

**The Ohio State University  
Hazing Incident Report**

*Submitted on March 4, 2023 at 8:59:23 am EST. Last modified March 4, 2023 at 9:01:19 am EST.*

Nature **Hazing**  
Urgency **Normal**  
Incident Date and Time **2023-03-03**  
Incident Location **Off Campus** [REDACTED]

Reported by

Name: **Kelly Smith**  
Title:  
Email: **smith.4941@osu.edu**  
Phone **614-292-0748**  
Address:

Involved Organizations/Individuals

**Phi Sigma Kappa (Org00098)**  
[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.

**Anonymous EthicsPoint reporter who identifies as a former member reports Phi Sigma Kappa chapter planned to go forward with a chapter tradition -- fruit salad -- in which "food combinations such as ranch on a banana, a raw onion, and other items were created and pledges were forced to eat the food regardless of if they threw up or didn't want to."**

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?

If you have provided your name and contact, you may enter "n/a" if you prefer.

**n/a**

Have you reported this information to any of the following:

**Ohio State University Police, Columbus Police**

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.**

Attachments

case286.pdf

*Pending IR #00071094*

*Submitted from 173.88.82.210 and routed to Kelly B. Smith (she/her) (Director)*

*Modified by Kelly B. Smith (she/her) on March 4, 2023 at 9:01:19 am EST from 173.88.82.210*

*Copies originally to: hamilton.814@osu.edu, brewer.412@osu.edu, records@osu.edu*

**Case: 286 - Hotline Web**  
**Student Conduct**  
**General Student Issues**

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**Case Snapshot**

**Opened:** 03/03/2023  
**Days open:** Less than 24 hours  
**Last modified:** 03/04/2023 8:07 AM  
**Intake method:** Hotline Web  
**Status:** Open  
**Alert:** Green

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**General Case Info**

**Case number:**  
286  
**Received/Reported date:**  
03/03/2023  
**Language:**  
English  
**Assigned tier:**  
Student Conduct

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**Issue**

**Primary issue:**  
General Student Issues

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**Case Details**

**Reported tier information**

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

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**Location**

**Organization/Building name:**  
OSU - Student Conduct  
**Location/Address:**  
Phi Sigma Kappa Fraternity [REDACTED]  
**City:**  
Columbus  
**State/province:**  
OH  
**ZIP/postal code:**  
43210  
**Country/Territory:**  
United States

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**Reporter Information**

**Is the reporter an employee?**  
No

**Reporter anonymous:**

Yes

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**Case Information**

**Relationship to Institution:**

Student

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

██████████ Phi Sigma Kappa

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

No

**Is management aware of this problem?**

No

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

Ongoing hazing within the Phi Sigma Kappa Fraternity

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

Phi Sigma Kappa Fraternity house ██████████

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

With the exception of the spring 2022 pledge class, this event has been held for each pledge class including the current spring 2023 class.

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

More than a year

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

I heard it

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

Pledges and brothers were told to keep the event a secret and not let university officials become aware that it was happening. The event was framed as a fraternity tradition and that was the reason given for it needing to continue.

**Details:**

[Due to fear of possible retribution I want all details that might possibly identify me kept secret from the members of Phi Sigma Kappa]

I am a former brother of the Phi Sigma Kappa fraternity who would wish to stay anonymous. I pledged ██████████ and learned that pledge classes before mine had to do an event called "fruit salad" night where food combinations such as ranch on a banana, a raw onion, and other items were created and pledges were forced to eat the food regardless of if they threw up or didn't want to. ██████████ the fall of 2022 and shortly after that, Phi Sigma Kappa was put under investigation for other hazing related charges. Several brothers were hesitant to reveal full details of the event, and I had ██████████ when fruit salad night was held for the ██████████ so I don't have a detailed account.

██████████ I learned today that the fraternity decided to continue the event tonight (3/3) with their spring pledge class. I wanted to inform the university that their hazing investigation didn't reveal this event and they need to be aware of it. All brothers who pledged before spring 2022 have both been forced to take part in this event and have forced others to be a part of it. I sincerely believe that most of the brothers continued this event because they had to go through it themselves, not because they enjoyed it. However, the fraternity as a whole needs to be held responsible.

This event has had detrimental effects on several brothers in the fraternity. One former member was suffering from ██████████ at the time of the event and told me about how he still cannot ██████████ from that night and routinely has flashbacks to that night when doing things as simple as ██████████. The damage that this event can cause to students who are struggling with ██████████ is immeasurable and I've seen the impacts firsthand.

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**Follow-ups**

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**Reporter Additional Information**

03/04/2023 - Reporter

[REDACTED] is only mentioned in the report because the form required a person to be listed in order for me to submit it. I don't believe he has any more responsibility than anyone else

## Questions/Comments and Reporter Responses

03/04/2023 - Smith, Kelly

**Question:** Thank you for this report. As you are aware, we have a hazing investigation from Fall 2022 that is still open and in the sanctioning phase. It would be helpful if we could corroborate the information you shared. We do not need to record any member (or former member's name. Would you be willing to have a "witness meeting?" We will identify you only with a number. This can be in person at Lincoln Tower or by phone or Zoom.

## Assignments & Access

Case assignee(s): Smith, Kelly

Restricted access: None

Case access list: Bell, Kirby; Carson, Katelyn; Glaros, Chris; Grosh, Leigha; Hamilton, Becca; Haque, Nadia; La Torre, Nicholas; Ninneman, Meghan; Smith, Kelly; Tobias, Jessica; Wiechart, Kendra

## Info Contributors

None

## Participants

Name	Job Title	Relationship	Role	Results	Notes
[REDACTED]	[REDACTED]	Phi Sigma Kappa	None	None	None

## Attachments

None

## Synopsis

### Outcome of case

#### Primary outcome:

- Select One -

#### Secondary outcome 1:

- Select One -

#### Secondary outcome 2:

- Select One -

#### Action taken:

- Select One -

## Additional details

## Tasks

None

## Case Notes

None

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## Related Cases

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**Cases marked as related to this case**

None



March 8, 2023

██████████ Phi Sigma Kappa

Sent electronically to ██████████

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: ██████████

Dear ██████████ and Members of the Pi Deuteron Chapter of Phi Sigma Kappa,

Pursuant to Section 3335-23-20 of the Code of Student Conduct, and registration guidelines for student organizations, I have determined that there is reasonable cause to believe your chapter's activities pose a significant risk of substantial harm to the safety or security of your chapter's members, new members and/or others.

Accordingly, I hereby suspend your chapter and its registration, temporarily and immediately, pending a full investigation by Student Conduct in the Office of Student Life.

**During this period of interim suspension:**

- your chapter may not participate in any university activities or functions of registered student organizations, including, but not limited to, chapter meetings or programs, Sorority and Fraternity Life council meetings and sponsored activities, intramural sporting events, recruitment, chapter social events or social events with other student organizations.
- your chapter must cease all recruitment and/or new member activities.

**The interim suspension shall remain in effect until:**

- the conclusion of the student conduct process, including any appeal,
- I terminate this interim suspension in writing,
- I modify the terms of this interim suspension, in which case your chapter must follow all terms of the modification, or
- I terminate this interim suspension upon your chapter's written request where a

determination is made that reasonable cause for the interim suspension no longer exists

### **List of Members**

**Deadline:** This list must be emailed to [bell.1776@osu.edu](mailto:bell.1776@osu.edu) **no later than March 9, 2023.**

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

- all current members
- all new members
- any members who have disaffiliated from the chapter and/or new member process in the last two semesters

Contact information must include:

- first and last name
- email address
- cell phone number
- school rank (if known)
- officer/leadership position (if applicable)
- member status (new, initiated, disaffiliated, etc.)

### **Notification to Members**

You are required to immediately notify all chapter members, including new members, of this interim suspension. Please send an email with this letter as an attachment to all chapter members, including new members, and copy [bell.1776@osu.edu](mailto:bell.1776@osu.edu) and [defreitas.12@osu.edu](mailto:defreitas.12@osu.edu) on the email.

Additionally, this letter provides notice to individual members that they may be held responsible for failing to comply with the directives within this letter and/or for failing to comply with the Code of Student Conduct, including the following provisions:

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

- 3335-23-04 (M) Student conduct system abuse. Abuse of any university student conduct system, including but not limited to: (1) Failure to obey the summons or directives of a student conduct body or university official; (2) Falsification, distortion, or misrepresentation of information before a student conduct body; (3) Disruption or interference with the orderly conduct of a student conduct proceeding; (4) Knowingly instituting a student conduct proceeding without cause; (5) Discouraging an individual's proper participation in or use of, a university student conduct system; (6) Influencing the impartiality of a member of a student conduct body prior to, and/or during the course of a student conduct proceeding; (7) Harassment and/or intimidation of a member of a student conduct body prior to, during, and/or after a student conduct proceeding; (8) Failure to comply with one or more sanctions imposed under the code of student conduct; and (9) Influencing another person to commit an abuse of a university student conduct system.

### **Notification to Others**

Notification of this interim suspension will be sent to other relevant parties, including, but not limited to:

- Your chapter advisor
- Sorority and Fraternity Life
- The Interfraternity Council
- Your chapter's inter/national headquarters

### **Requesting Termination or Modifications**

Your chapter may request termination of or modifications to this interim suspension. To do so, your chapter must submit a request in writing to Associate Dean of Students Ryan Lovell at [lovell.113@osu.edu](mailto:lovell.113@osu.edu). Your chapter's request must include supporting documentation or evidence that your chapter does not or no longer poses a significant risk of substantial harm to the safety or security of your members, new members, or others, and/or any proposed modifications. Section 3335-23-20 of the Code of Student Conduct provides a complete description of this process.

### **Investigation**

It is important that you meet with Student Conduct and follow all instructions and directives given to you by Student Conduct. Please know that any efforts by your 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 and/or individual students involved.

Sincerely,

A handwritten signature in black ink, appearing to read 'D Glassmann'. The 'D' is large and stylized, followed by 'Glassmann' written in a cursive, flowing script.

Danny Glassmann (he/him/his)

Associate Vice President for Student Engagement & Support and Dean of Students

CC: Phi Sigma Kappa, Director of Organizational Growth - Lindsey Hollis

Associate Director of Sorority and Fraternity Life - Teri Cugliari

[REDACTED]

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: [REDACTED]

Dear [REDACTED],

Student Conduct received information about an incident involving your organization that occurred on, or around, March 3, 2023. The report concerns an alleged hazing event planned for this Friday, March 3, 2023 and potential breaks of a previous interim suspension.

As a leader of your organization, I want to hear from you about this report. I have availability on Thursday, March 9, 2023 from 8 a.m. - 10 a.m. and 11 a.m. - 5 p.m. If you do not have availability on Thursday, please respond to this email with your availability for March 13, 2023 and beyond.

This is a preliminary meeting, not a hearing as no charges have been issued. This meeting offers your organization the opportunity to share information and ask questions about the Student Conduct process.

**Here are a few considerations to note:**

- **Registered Co-Leaders:** You may bring a co-leader, such as a vice president, co-captain, secretary, or new member educator, to this meeting.
- **Notify Members of Organization.** You are required to notify all members—including new members—about this investigation of your organization. Please send an email with this letter as an attachment to all members of your organization and copy bell.1776@osu.edu on the email.
- **Advisor.** Your organization advisor, inter/national headquarters, and Sorority and Fraternity Life liaison are copied on this letter and we encourage their participation throughout the Student Conduct process. You are welcome to bring one additional advisor.
- **Student Rights and Responsibilities.** Information about the [Code of Student Conduct and our process](#) is available online. Additionally, I have attached a Statement of Student Rights and Responsibilities (PDF) to this letter.

**Relevant Materials**

**Deadline:** These relevant materials must be emailed to bell.1776@osu.edu **no later**

**than March 10, 2023.**

As part of the investigation, I am requesting an updated roster of your membership. I will send an email with the current roster. Membership for the roster includes:

- all current members
- all new members (including any members who were officially or unofficially brought into the new member process and/or non Ohio State students going through the Ohio State new member process)
- any members who have disaffiliated from the organization and/or new member process in the last two semesters

Contact information must include:

- first and last name
- email address
- cell phone number
- school rank (if known)
- officer/leadership position (if applicable)
- member status (new, initiated, disaffiliated, etc.)

Finally, prior to our meeting, if you or other members of your organization have relevant materials, for example, written statements, text messages, photos, emails, etc., that you or they would like to share with us, please email them to [bell.1776@osu.edu](mailto:bell.1776@osu.edu) before our meeting.

## **Resources**

[ADA Coordinator](#) 614-292-6207 (voice); 614-688-8605 (TTY); [ada-osu@osu.edu](mailto:ada-osu@osu.edu)

- The ADA Coordinator's office can provide accommodations based on the impact of a disability during the Student Conduct process. Students are responsible for requesting these accommodations when they feel they are needed. One week's notice will allow for seamless access.

[Student Advocacy Center](#) 614-292-1111

- The Student Advocacy Center helps students navigate Ohio State's structure to resolve issues they encounter at the university.
- Student Advocacy Center staff are unable to serve as an advisor, but upon request, they can provide information and assistance about the Student Conduct process.

[Student Legal Services](#) 614-247-5853

- Student Legal Services at The Ohio State University (SLS) is a non-profit law office that contracts with Ohio State to provide legal services to eligible Ohio State students.
- If you were cited by law enforcement, SLS can represent you in Franklin County Municipal Court.
- If you were cited outside of Franklin County, SLS will provide advice and referral. SLS cannot represent you in the Student Conduct process. Please call the office for more information about SLS services and eligibility, or to schedule an appointment. SLS services are confidential.

**While this meeting is preliminary, it is not optional.** If your organization does not schedule its meeting before Wednesday, March 22, 2023, I may move forward with the Student Conduct process without your organization's participation. This could result in a formal investigation, charges, a hearing and sanctions.

To schedule your organization's meeting, please call 614-292-0748 between 8 a.m. and 5 p.m. (ET) Monday through Friday. I look forward to meeting with your organization.

Sincerely,

Kirby Bell (She/Her)  
Sr. Assistant Director

As you navigate our student conduct process, we encourage you to review the information and resources below.



### CODE OF STUDENT CONDUCT

The Code of Student Conduct, a part of the Ohio Administrative Code, is established to foster and protect the core missions of the university; to foster the scholarly and civic development of the university's students in a safe and secure learning environment, and to protect the people, properties and processes that support the university and its missions. A current version can be found at [studentconduct.osu.edu](http://studentconduct.osu.edu).



### STATEMENT OF STUDENT RIGHTS AND RESPONSIBILITIES

Students will find information about their rights and responsibilities through the student conduct process within the Statement of Student Rights and Responsibilities. A current version can be found at [studentconduct.osu.edu](http://studentconduct.osu.edu).



### ADVISOR

The student conduct process is not intended to be confrontational or adversarial. It is understandable, though, that students may be nervous. Students are welcome to bring an advisor or support person to any meetings if they would find that helpful. An advisor can be anyone of your choosing **other than someone involved in the reported incident**. Because federal law requires us to keep educational records confidential and because we respect our student's privacy, we will need written permission to allow an advisor's participation. Permission can be provided using the *Authorization to Release Information* form. The form and additional information about advisors can be found on [studentconduct.osu.edu](http://studentconduct.osu.edu).



### ACCOMMODATIONS

Should a student need an accommodation during the student conduct process based on the impact of a disability, 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 [ada.osu.edu](http://ada.osu.edu). If you need more time to seek accommodations, contact your hearing officer.



### RELEVANT MATERIALS

If you have relevant materials, for example, your own written statement, text messages, photos, emails, etc., that you would like to share as part of your conduct process, please email any documentation to your hearing officer. If a student has multiple images they would like to submit, a template can be found at [studentconduct.osu.edu](http://studentconduct.osu.edu).



### STUDENT ADVOCACY CENTER

The Student Advocacy Center is committed to helping students navigate Ohio State's structure and to resolving issues that they encounter at the university. Their purpose is to empower students to overcome obstacles to their growth both inside and outside the classroom. Visit [advocacy.osu.edu](http://advocacy.osu.edu) or call 614-292-1111 (voice) for more information.



### STUDENT LEGAL SERVICES

Student Legal Services at The Ohio State University (SLS) is a non-profit law office that contracts with Ohio State to provide legal services to eligible Ohio State students. If you were cited by law enforcement, SLS can represent you in Franklin County Municipal Court. If you were cited outside of Franklin County, SLS will provide advice and referral. SLS cannot represent you in the student conduct process. For more information about SLS services, eligibility, or to schedule an appointment visit [studentlegal.osu.edu](http://studentlegal.osu.edu) or call 614-247-5853 (voice). SLS services are confidential.



### COUNSELING AND CONSULTATION SERVICE

CCS provides individual and group mental health services, psychoeducational prevention, and outreach programming to currently enrolled undergraduate, graduate and professional students. To schedule a phone screening, meet with a counselor, or for a list of drop-in sessions, visit [ccs.osu.edu](http://ccs.osu.edu).



### PUBLIC SAFETY

The Department of Public Safety is committed to protecting the general welfare of the university community and surrounding campus area. To report a crime, register for public safety alerts, learn more about safety programs available to students, or access other public safety resources, visit [dps.osu.edu](http://dps.osu.edu).

# OFFICE OF STUDENT LIFE STUDENT CONDUCT

## Statement of Student Rights and Responsibilities

The Code of Student Conduct provides the definitions and procedures used to respond to complaints regarding student behavior. Many of the rights and responsibilities found in the Code of Student Conduct are highlighted below. To learn more about student rights and responsibilities, refer to the Code of Student Conduct at [studentconduct.osu.edu](http://studentconduct.osu.edu).

**3335-23-08-A:** 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-C:** Students are afforded the opportunity to meet with a university official following the notification of charges.

- 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.

**3335-23-12-C:** Students may choose to bring an advisor (i.e., support person) for support throughout the disciplinary process.

- 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.

**3335-23-08-D:** Students are offered options for the resolution of charges.

- Generally, and in accordance with and as provided by Ohio law and the Code of Student Conduct, students may choose between an administrative hearing or a hearing before the University Conduct Board to resolve charges other than those related to:
  - ◊ **3335-23-04-A:** Academic Misconduct
  - ◊ **3335-23-02-C:** 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 on [policies.osu.edu](http://policies.osu.edu).
- **3335-23-09:** 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.

- In these cases, the student waives rights to a hearing and any procedural guarantees that come from taking part in a hearing.

**3335-23-10-C:** In accordance with and as provided by Ohio law and the Code of Student Conduct, 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.

- **3335-23-11-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-D:** 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.

- Attendance at hearings, though not mandated, is strongly encouraged and also limited to respondents and those directly involved or requested by the hearing body.
- **3335-23-12-D:** 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.

◊ The respondent will have the opportunity to ask questions of all witnesses.

- **3335-23-14:** 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.
- **3335-23-12-E:** Students will only be found in violation if a preponderance of evidence supports the charges.

**3335-23-17:** 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.

- A disciplinary sanction: a formal reprimand, disciplinary probation, suspension, or dismissal will be given in addition to (in most cases) educational outcomes.

**3335-23-18:** Students found to have violated the Code of Student Conduct have the right to appeal the original decision.

- 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.



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 (M1) Student conduct system abuse - Failure to obey summons or directives. Failure to obey the summons or directives of a student conduct body or university official.

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

\_\_\_\_\_ On behalf of the Pi Deuteron chapter of Phi Sigma Kappa 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 Pi Deuteron chapter of Phi Sigma Kappa 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 Pi Deuteron chapter of Phi Sigma Kappa 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.** University Conduct Board hearings are held on Wednesday's and Friday's starting at either 9 am or 1 pm.

Phi Sigma Kappa [REDACTED]

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

**Acknowledgments**

Phi Sigma Kappa Executive Board Member

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

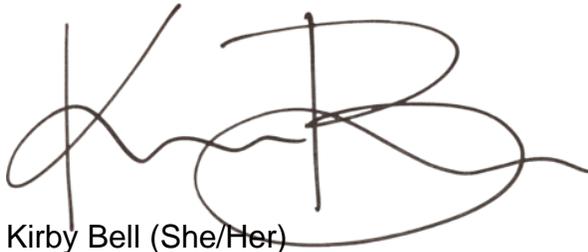
Phi Sigma Kappa Advisor

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

**III. Possible Sanctions:** If you are found in violation, please understand that the 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 bell.1776@osu.edu by **April 17, 2023 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.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kirby Bell'. The signature is stylized with large, overlapping loops and a vertical line through the middle.

Kirby Bell (She/Her)  
Associate Director

CC: Phi Sigma Kappa, Director of Organizational Growth - Lindsey Hollis  
Associate Director of Sorority and Fraternity Life - Teri Cugliari

April 12, 2023

██████████ Phi Sigma Kappa

Sent electronically to ██████████

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: ██████████

Dear ██████████,

**CHARGE AND PROCESS FORM**

I am writing to give you an update on your conduct case. I have concluded my investigation and determined there is reasonable cause to issue charges under the Code of Student Conduct. This does not mean you have been found in violation of the charge(s) listed below.

Rather, as we move forward in the conduct process, this is your opportunity to choose a resolution option.

**I. Charge(s):**

It is alleged that during the autumn 2022 and spring 2023 semester, the Pi Deuteron chapter of Phi Sigma Kappa engaged or attempted to engage in conduct that includes, but is not limited to:

- The organization held an event during the new member process called “fruit salad” where food was placed in front of the new members and the new members were expected to finish all of the food
  - Examples of the food provided was steak put in front of a vegetarian, mustard on a tomato, mildly hot peppers and ranch on a banana
- The organization held a recruitment event on January 16, 2023, while the organization was placed on interim suspension

Which is prohibited by the following section(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 (M1) Student conduct system abuse - Failure to obey summons or directives. Failure to obey the summons or directives of a student conduct body or university official.

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

 On behalf of the Pi Deuteron chapter of Phi Sigma Kappa 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 Pi Deuteron chapter of Phi Sigma Kappa 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 Pi Deuteron chapter of Phi Sigma Kappa 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.** University Conduct Board hearings are held on Wednesday's and Friday's starting at either 9 am or 1 pm.

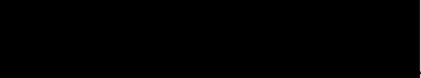
Phi Sigma Kappa 

Signature: 

Date: 4-12-23

**Acknowledgments**

Phi Sigma Kappa Executive Board Member

Signature: 

Date: 4/12/23

Phi Sigma Kappa Advisor

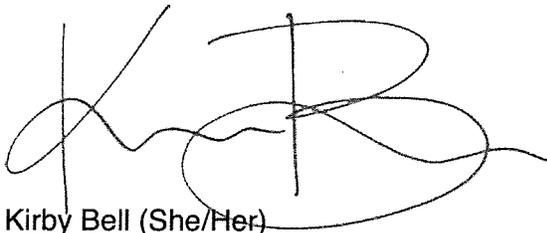
Signature: Michael Holt

Date: 4.12.2023

**III. Possible Sanctions:** If you are found in violation, please understand that the 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 bell.1776@osu.edu by **April 17, 2023 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.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kirby Bell', written in a cursive style.

Kirby Bell (She/Her)  
Associate Director

CC: Phi Sigma Kappa, Director of Organizational Growth - Lindsey Hollis  
Associate Director of Sorority and Fraternity Life - Teri Cugliari



May 18, 2023

██████████

Sent electronically to ██████████@osu.edu

**PERSONAL AND CONFIDENTIAL**

Regarding Case Number: ██████████1

To ██████████ and the members of the Pi Deuteron chapter of Phi Sigma Kappa:

I am writing to provide the Pi Deuteron chapter of Phi Sigma Kappa with my decision. The chapter took responsibility and requested an administrative decision for the following 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 (M1) Student conduct system abuse - Failure to obey summons or directives.** Failure to obey the summons or directives of a student conduct body or university official.

Specifically, during the autumn 2022 and spring 2023 semester, the Pi Deuteron chapter of Phi Sigma Kappa engaged in conduct that includes, but is not limited to:

- the organization held an event during the new member process called “fruit salad” where food was placed in front of the new members and the new members were expected to finish all of the food
- examples of the food provided was steak put in front of a vegetarian, mustard on a tomato, mildly hot peppers and ranch on a banana
- The organization held a recruitment event on January 16, 2023, while the organization was placed on interim suspension

**Sanction Consideration**

Student Conduct has worked to support the chapter in education related to hazing and

redirecting concerning behavior. There must be an on-going commitment from the organization to utilize the resources available to them and abide by the Code of Student Conduct, including directives issues related to the chapter.

I considered the following factors in determining appropriate sanctions:

- previous conduct history in case [REDACTED]
- the honest and full participation by Phi Sigma Kappa in the investigation
- impact of the reported actions on the members of Phi Sigma Kappa

## **Outcome**

### **Disciplinary Probation & Deferred Revocation**

I am deferring revocation of your chapter's status as a registered student organization. However, absent extraordinary circumstances, further violations of the Code of Student Conduct while on probation may result in the immediate revocation of your chapter's status as a registered student organization.

Your chapter is on probation effective immediately through May 5, 2024. Probation is a heightened state of warning that does not otherwise control or direct your chapter's functioning. Even after your chapter's probation period ends, we would consider its disciplinary history when considering sanctions for future violations, meaning revocation of registered status is still a likely outcome beyond the probationary period.

### **BuckeyeLearn Anti-Hazing Training**

All members (100%) must complete the online BuckeyeLearn training titled Collin's Law Anti-Hazing. The chapter turned in certificates for all current active members on January 25, 2023. Any new member who has joined the chapter since January 25, 2023, will need to complete the training and turn in completion of the training.

The training must be completed no later than **September 5, 2023**, or the start of the autumn 2023 recruitment process for Phi Sigma Kappa. The training is available using the following links:

- <https://go.osu.edu/stophazing>
- <https://go.osu.edu/stophazingaccessible> - accessible version of the training

The chapter president must delegate the responsibility for tracking and documenting completion of the training to another officer/executive board member. That

officer/member will email instructions that include an internal deadline to complete training that provides sufficient time for members to send the delegated officer/member a copy of their completion certificate PDF. The delegated officer/member will compile the PDFs in alphabetical order and combine them into one document with a roster confirming 100% completion. The delegated member/officer will email that document to bell.1776@osu.edu before 4:30 p.m. on **September 5, 2023**.

### **Membership Re-commitment Process**

The chapter will complete a membership re-commitment process facilitated by the national organization. This process will happen prior to hosting any chapter meetings, events or gatherings.

- Active chapter members and new members will complete a membership interview where they will be required to reaffirm their commitment to the mission, purpose, vision, and pillars of Phi Sigma Kappa. During the interview members will be asked to identify areas of concern for the chapter culture. This process must be completed by **September 5, 2023**. At the conclusion of this process, the national representative will email me at bell.1776@osu.edu to discuss the outcome of the membership re-commitment process and any themes identified that will be incorporated into the new member process plan detailed below.
  - If members choose not to meaningfully participate in the process, Phi Sigma Kappa will consider appropriate action based on their practices, including, but not limited to initiating the chapter's standard's process, placing members into alumni status, or revoking membership.

**No recruitment processes may begin until the completion of all membership re-commitment processes and reports are shared with Kirby.**

### **New Member Process Documentation**

In conduct case 2022417501 you submitted a plan for the new member process. For the autumn 2023 and spring 2024 new member processes, you need to submit a completely new member recruitment schedule. The new member process includes **any** recruitment event, new member education, and new member bonding/social events. This schedule needs to include:

- Date and time of all events
- Location of all events
- Small description of the event
- Advisor who will be present at the event

The plan should be submitted to Kirby Bell, Associate Director – bell.1776@osu.edu,

and Teri Cugliari, SFL liaison - [cugliari.6@osu.edu](mailto:cugliari.6@osu.edu), before the start of recruitment.

If changes occur to event details, an email should be sent to Kirby Bell and Teri Cugliari about the changes.

The sanctions proposed by the chapter will require significant coordination by you and other leaders in the chapter. This may require adjusting sanctions and due dates. We are invested in your chapter successfully completing all the requirements found in this letter. I encourage you to communicate with me frequently about your chapter's progress. I can provide clarity regarding expectations and offer modifications and extensions if necessary.

### **Additional Sanctions: Phi Sigma Kappa Proposed Sanctions**

Student Conduct supports the proposed sanctions provided by Phi Sigma Alpha:

- have a J-board review for any member of the chapter that voted yes to fruit salad, then based on those reviews have individual sanctions for them within the chapter
- a cooperative paper from the entire chapter restating our ideals and why this event was in violation of that, and also what we hope to see coming out of this chapter in the future.
- an analysis of the goal of fruit salad and a healthy alternative to still convey the purpose of it within our new member education plan.

Please create documentation for each of the proposed sanction, including a summary of the J-board review with any sanctions imposed, and send to Kirby Bell ([bell.1776@osu.edu](mailto:bell.1776@osu.edu)) by September 29, 2023.

### **Summary of dates**

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

- TBD (based on new member process) – new member process plan submitted to Kirby Bell and Teri Cugliari
- September 8, 2023 –
  - BuckeyeLearn Anti-Hazing training due
  - Membership recommitment process due
  - Email sent to Kirby about presentation to Phi Sigma Kappa members
- September 29, 2023 – May 5, 2024 – End of deferred revocation and probation
  - Phi Sigma Kappa proposed sanctions emailed to Kirby

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

Any request for an extension or a modification of any outcome must come from the chapter president to bell.1776@osu.edu. The request must contain a detailed explanation of the reason for the request.

### **Staffing Change**

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

### **Interim Suspension**

A recommendation will be submitted to the Dean of Students, Dr. Danny Glassmann, to lift the interim suspension after the conclusion of the appeal period. Please wait for a confirmation letter that the interim suspension has been lifted before taking any action that might violate the terms of the interim suspension. Modifications to the interim suspension can be requested and would require an email to Dean of Students, Dr. Danny Glassmann, with the request and details.

### **Appeal**

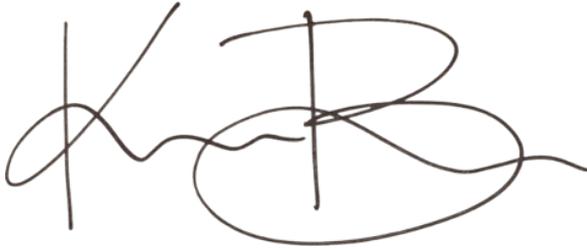
Because you accepted responsibility, you may only appeal on the basis that the disciplinary sanction is grossly disproportionate to the violation committed. To do so, you must submit your appeal in writing no later than **4 p.m. on May 25, 2023**. You should use the online appeal form found at <https://go.osu.edu/appeals>, or the form attached to this letter to submit your appeal. If you elect to use the attached document, please scan and email it by the deadline to bell.1776@osu.edu.

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

Students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at (614) 292-6207 (voice), (614) 688-8605 (TTY), [ada-osu@osu.edu](mailto:ada-osu@osu.edu), or visit <https://ada.osu.edu/>. One week's notice will allow for seamless access. Should you need additional time in order to seek any appropriate accommodation, please contact me immediately.

If you have any questions concerning this matter, please do not hesitate to contact me at 614-292-0748 between 8 a.m. and 5 p.m. Monday through Friday.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kirby Bell'. The signature is fluid and cursive, with the first name 'Kirby' and the last name 'Bell' clearly distinguishable.

Kirby Bell (She/Her)  
Associate Director

CC: Teri Cugliari

Lindsey Hollis, Director of Organizational Growth, Phi Sigma Kappa -  
lindsey@phisigmakappa.or



When a respondent would like to appeal the decision of a hearing body, the below procedures are followed.

## GROUNDINGS FOR APPEAL

A respondent may appeal the original decision of a hearing body. An appeal is not an opportunity to “re-argue” the case. The appeal must be based on the grounds provided in the Code, which are listed below.

**Note:** Respondents who accepted responsibility through an Administrative Decision may only appeal on the grounds that the sanctions are grossly disproportionate to the violation(s) committed.

### PROCEDURAL ERROR

Procedural error that resulted in material harm or prejudice to the respondent (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.

### SUBSTANTIAL NEW EVIDENCE

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.

### GROSSLY DISPROPORTIONATE SANCTIONS

Disciplinary sanctions imposed are grossly disproportionate to the violation(s) committed, considering the relevant aggravating or mitigating factors.

The respondent may not appeal the decision based solely on the grounds that the respondent was not in attendance before the hearing body or that the respondent is dissatisfied with the decision.

## HOW TO APPEAL

### COMPLETE FORM

Complete and submit the Appeal Request Form found at [go.osu.edu/appeals](http://go.osu.edu/appeals) before the deadline provided in the outcome letter. The respondent is limited to submitting one appeal.

The respondent waives their right to appeal if they fail to submit their appeal by the stated deadline in the decision letter or fail to provide information concerning the basis for their appeal.

### REVIEW OF APPEAL

The appeal officer will decide the appeal based upon a review of the record and supporting documents.

## FINAL DECISION

The appeal officer will send notice of their final decision, which could include the following outcomes:

### UPHOLD

The appeal officer may uphold the original decision and/or sanction(s).

### REMAND OR REFER

The appeal officer may remand the case to the original hearing body to consider a specific issue as directed by the appeal officer, or the appeal officer may refer the case to a new hearing body to be reheard.

### MODIFY OR REDUCE

The appeal officer may modify or reduce the sanction(s).

### DISMISS AND VACATE

The appeal officer may dismiss the respondent's case or individual charge(s) and vacate any portion or all of the sanction(s).

